

Christian Holinka v. Asbestos - ROUGH DRAFT
February 22, 2007

Christian Holinka
ROUGH DRAFT

Page 1.

57

1

2 SUPREME COURT
3 ALL COUNTIES WITHIN THE STATE OF NEW YORK
4
5 IN RE: NEW YORK CITY ASBESTOS LITIGATION

6

7

8

9

10

11

12

13

14

15

16 This Document Applies To:
17 CHRISTIAN HOLINKA
18 INDEX NO.: 114120-06

19

20

21

22

23

24

25

PRIORITY ONE COURT REPORTING SERVICES, INC.
899 Manor Road
Staten Island, New York 10314
(718) 983-1234

Christian Holinka v. Asbestos - ROUGH DRAFT
February 22, 2007

Christian Holinka
ROUGH DRAFT

<p style="text-align: right;">Page 2</p> <p style="text-align: center;">58</p> <p>1 Transcript of the deposition of the Plaintiff, 2 called for Oral Examination in the above-captioned 3 matter, said deposition being taken pursuant to 4 Federal Rules of Civil Procedure by and before 5 CHERYL F. BAREN, a Notary Public and Shorthand 6 Reporter, at the Offices of Weitz & Luxenberg, 120 7 Wall Street, New York, New York, on Thursday, February 8 22, 2007, commencing at approximately 10:30 in the 9 forenoon. 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25</p>	<p style="text-align: right;">Page 4</p> <p style="text-align: center;">60</p> <p>1 DRINKER, BIDDLE & REATH, LLP 2 Attorneys for Defendant Baxter Health Care 3 500 Campus Drive 4 Portiam Park, New Jersey 07932-1047 5 BY: TIMOTHY J. FRASER, ESQ. 6 7 HDAGLAND, LONGO, MORAN, DUNST & DOUKAS, ESQS. 8 Attorneys for Defendant Fisher Scientific 9 40 Patterson Street 10 P.O. Box 480 11 New Brunswick, New Jersey 08901 12 BY: KRISTY KULINA LYONS, ESQ. 13 14 15 16 17 18 19 20 21 22 23 24 25</p>
<p style="text-align: right;">Page 3</p> <p style="text-align: center;">59</p> <p>1 APPEARANCES: 2 3 4 WEITZ & LUXENBERG, P.C. 5 Attorneys for Plaintiff 6 180 Maiden Lane, 17th Floor 7 New York, New York 10038 8 BY: BENJAMIN DARCHE, ESQ. 9 10 DRINKER, BIDDLE & REATH, LLP 11 Attorneys for Defendants VWR International, 12 Inc. and Univar USA, Inc. 13 One Logan Square 14 18th and Cherry Streets 15 Philadelphia, Pennsylvania, 19103-6996 16 BY: DAVID F. ABERNETHY, ESQ. 17 18 REED SMITH, LLP 19 Attorneys for Defendant Manor Health Care 20 Princeton Forrestal Village 21 136 Main Street, Suite 250 22 P.O. Box 7839 23 Princeton, New Jersey 08543-7839 24 BY: GREG A. DADIKA, ESQ. 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99 100 101 102 103 104 105 106 107 108 109 110 111 112 113 114 115 116 117 118 119 120 121 122 123 124 125 126 127 128 129 130 131 132 133 134 135 136 137 138 139 140 141 142 143 144 145 146 147 148 149 150 151 152 153 154 155 156 157 158 159 160 161 162 163 164 165 166 167 168 169 170 171 172 173 174 175 176 177 178 179 180 181 182 183 184 185 186 187 188 189 190 191 192 193 194 195 196 197 198 199 200 201 202 203 204 205 206 207 208 209 210 211 212 213 214 215 216 217 218 219 220 221 222 223 224 225 226 227 228 229 230 231 232 233 234 235 236 237 238 239 240 241 242 243 244 245 246 247 248 249 250 251 252 253 254 255 256 257 258 259 260 261 262 263 264 265 266 267 268 269 270 271 272 273 274 275 276 277 278 279 280 281 282 283 284 285 286 287 288 289 290 291 292 293 294 295 296 297 298 299 300 301 302 303 304 305 306 307 308 309 310 311 312 313 314 315 316 317 318 319 320 321 322 323 324 325 326 327 328 329 330 331 332 333 334 335 336 337 338 339 340 341 342 343 344 345 346 347 348 349 350 351 352 353 354 355 356 357 358 359 360 361 362 363 364 365 366 367 368 369 370 371 372 373 374 375 376 377 378 379 380 381 382 383 384 385 386 387 388 389 390 391 392 393 394 395 396 397 398 399 400 401 402 403 404 405 406 407 408 409 410 411 412 413 414 415 416 417 418 419 420 421 422 423 424 425 426 427 428 429 430 431 432 433 434 435 436 437 438 439 440 441 442 443 444 445 446 447 448 449 450 451 452 453 454 455 456 457 458 459 460 461 462 463 464 465 466 467 468 469 470 471 472 473 474 475 476 477 478 479 480 481 482 483 484 485 486 487 488 489 490 491 492 493 494 495 496 497 498 499 500 501 502 503 504 505 506 507 508 509 510 511 512 513 514 515 516 517 518 519 520 521 522 523 524 525 526 527 528 529 530 531 532 533 534 535 536 537 538 539 540 541 542 543 544 545 546 547 548 549 550 551 552 553 554 555 556 557 558 559 560 561 562 563 564 565 566 567 568 569 570 571 572 573 574 575 576 577 578 579 580 581 582 583 584 585 586 587 588 589 590 591 592 593 594 595 596 597 598 599 600 601 602 603 604 605 606 607 608 609 610 611 612 613 614 615 616 617 618 619 620 621 622 623 624 625 626 627 628 629 630 631 632 633 634 635 636 637 638 639 640 641 642 643 644 645 646 647 648 649 650 651 652 653 654 655 656 657 658 659 660 661 662 663 664 665 666 667 668 669 670 671 672 673 674 675 676 677 678 679 680 681 682 683 684 685 686 687 688 689 690 691 692 693 694 695 696 697 698 699 700 701 702 703 704 705 706 707 708 709 710 711 712 713 714 715 716 717 718 719 720 721 722 723 724 725 726 727 728 729 730 731 732 733 734 735 736 737 738 739 740 741 742 743 744 745 746 747 748 749 750 751 752 753 754 755 756 757 758 759 760 761 762 763 764 765 766 767 768 769 770 771 772 773 774 775 776 777 778 779 780 781 782 783 784 785 786 787 788 789 790 791 792 793 794 795 796 797 798 799 800 801 802 803 804 805 806 807 808 809 810 811 812 813 814 815 816 817 818 819 820 821 822 823 824 825 826 827 828 829 830 831 832 833 834 835 836 837 838 839 840 841 842 843 844 845 846 847 848 849 850 851 852 853 854 855 856 857 858 859 860 861 862 863 864 865 866 867 868 869 870 871 872 873 874 875 876 877 878 879 880 881 882 883 884 885 886 887 888 889 890 891 892 893 894 895 896 897 898 899 900 901 902 903 904 905 906 907 908 909 910 911 912 913 914 915 916 917 918 919 920 921 922 923 924 925 926 927 928 929 930 931 932 933 934 935 936 937 938 939 940 941 942 943 944 945 946 947 948 949 950 951 952 953 954 955 956 957 958 959 960 961 962 963 964 965 966 967 968 969 970 971 972 973 974 975 976 977 978 979 980 981 982 983 984 985 986 987 988 989 990 991 992 993 994 995 996 997 998 999 1000 1001 1002 1003 1004 1005 1006 1007 1008 1009 1010 1011 1012 1013 1014 1015 1016 1017 1018 1019 1020 1021 1022 1023 1024 1025 1026 1027 1028 1029 1030 1031 1032 1033 1034 1035 1036 1037 1038 1039 1040 1041 1042 1043 1044 1045 1046 1047 1048 1049 1050 1051 1052 1053 1054 1055 1056 1057 1058 1059 1060 1061 1062 1063 1064 1065 1066 1067 1068 1069 1070 1071 1072 1073 1074 1075 1076 1077 1078 1079 1080 1081 1082 1083 1084 1085 1086 1087 1088 1089 1090 1091 1092 1093 1094 1095 1096 1097 1098 1099 1100 1101 1102 1103 1104 1105 1106 1107 1108 1109 1110 1111 1112 1113 1114 1115 1116 1117 1118 1119 1120 1121 1122 1123 1124 1125 1126 1127 1128 1129 1130 1131 1132 1133 1134 1135 1136 1137 1138 1139 1140 1141 1142 1143 1144 1145 1146 1147 1148 1149 1150 1151 1152 1153 1154 1155 1156 1157 1158 1159 1160 1161 1162 1163 1164 1165 1166 1167 1168 1169 1170 1171 1172 1173 1174 1175 1176 1177 1178 1179 1180 1181 1182 1183 1184 1185 1186 1187 1188 1189 1190 1191 1192 1193 1194 1195 1196 1197 1198 1199 1200 1201 1202 1203 1204 1205 1206 1207 1208 1209 1210 1211 1212 1213 1214 1215 1216 1217 1218 1219 1220 1221 1222 1223 1224 1225 1226 1227 1228 1229 1230 1231 1232 1233 1234 1235 1236 1237 1238 1239 1240 1241 1242 1243 1244 1245 1246 1247 1248 1249 1250 1251 1252 1253 1254 1255 1256 1257 1258 1259 1260 1261 1262 1263 1264 1265 1266 1267 1268 1269 1270 1271 1272 1273 1274 1275 1276 1277 1278 1279 1280 1281 1282 1283 1284 1285 1286 1287 1288 1289 1290 1291 1292 1293 1294 1295 1296 1297 1298 1299 1300 1301 1302 1303 1304 1305 1306 1307 1308 1309 1310 1311 1312 1313 1314 1315 1316 1317 1318 1319 1320 1321 1322 1323 1324 1325 1326 1327 1328 1329 1330 1331 1332 1333 1334 1335 1336 1337 1338 1339 1340 1341 1342 1343 1344 1345 1346 1347 1348 1349 1350 1351 1352 1353 1354 1355 1356 1357 1358 1359 1360 1361 1362 1363 1364 1365 1366 1367 1368 1369 1370 1371 1372 1373 1374 1375 1376 1377 1378 1379 1380 1381 1382 1383 1384 1385 1386 1387 1388 1389 1390 1391 1392 1393 1394 1395 1396 1397 1398 1399 1400 1401 1402 1403 1404 1405 1406 1407 1408 1409 1410 1411 1412 1413 1414 1415 1416 1417 1418 1419 1420 1421 1422 1423 1424 1425 1426 1427 1428 1429 1430 1431 1432 1433 1434 1435 1436 1437 1438 1439 1440 1441 1442 1443 1444 1445 1446 1447 1448 1449 1450 1451 1452 1453 1454 1455 1456 1457 1458 1459 1460 1461 1462 1463 1464 1465 1466 1467 1468 1469 1470 1471 1472 1473 1474 1475 1476 1477 1478 1479 1480 1481 1482 1483 1484 1485 1486 1487 1488 1489 1490 1491 1492 1493 1494 1495 1496 1497 1498 1499 1500 1501 1502 1503 1504 1505 1506 1507 1508 1509 1510 1511 1512 1513 1514 1515 1516 1517 1518 1519 1520 1521 1522 1523 1524 1525 1526 1527 1528 1529 1530 1531 1532 1533 1534 1535 1536 1537 1538 1539 1540 1541 1542 1543 1544 1545 1546 1547 1548 1549 1550 1551 1552 1553 1554 1555 1556 1557 1558 1559 1560 1561 1562 1563 1564 1565 1566 1567 1568 1569 1570 1571 1572 1573 1574 1575 1576 1577 1578 1579 1580 1581 1582 1583 1584 1585 1586 1587 1588 1589 1590 1591 1592 1593 1594 1595 1596 1597 1598 1599 1600 1601 1602 1603 1604 1605 1606 1607 1608 1609 1610 1611 1612 1613 1614 1615 1616 1617 1618 1619 1620 1621 1622 1623 1624 1625 1626 1627 1628 1629 1630 1631 1632 1633 1634 1635 1636 1637 1638 1639 1640 1641 1642 1643 1644 1645 1646 1647 1648 1649 1650 1651 1652 1653 1654 1655 1656 1657 1658 1659 1660 1661 1662 1663 1664 1665 1666 1667 1668 1669 1670 1671 1672 1673 1674 1675 1676 1677 1678 1679 1680 1681 1682 1683 1684 1685 1686 1687 1688 1689 1690 1691 1692 1693 1694 1695 1696 1697 1698 1699 1700 1701 1702 1703 1704 1705 1706 1707 1708 1709 1710 1711 1712 1713 1714 1715 1716 1717 1718 1719 1720 1721 1722 1723 1724 1725 1726 1727 1728 1729 1730 1731 1732 1733 1734 1735 1736 1737 1738 1739 1740 1741 1742 1743 1744 1745 1746 1747 1748 1749 1750 1751 1752 1753 1754 1755 1756 1757 1758 1759 1760 1761 1762 1763 1764 1765 1766 1767 1768 1769 1770 1771 1772 1773 1774 1775 1776 1777 1778 1779 1780 1781 1782 1783 1784 1785 1786 1787 1788 1789 1790 1791 1792 1793 1794 1795 1796 1797 1798 1799 1800 1801 1802 1803 1804 1805 1806 1807 1808 1809 1810 1811 1812 1813 1814 1815 1816 1817 1818 1819 1820 1821 1822 1823 1824 1825 1826 1827 1828 1829 1830 1831 1832 1833 1834 1835 1836 1837 1838 1839 1840 1841 1842 1843 1844 1845 1846 1847 1848 1849 1850 1851 1852 1853 1854 1855 1856 1857 1858 1859 1860 1861 1862 1863 1864 1865 1866 1867 1868 1869 1870 1871 1872 1873 1874 1875 1876 1877 1878 1879 1880 1881 1882 1883 1884 1885 1886 1887 1888 1889 1890 1891 1892 1893 1894 1895 1896 1897 1898 1899 1900 1901 1902 1903 1904 1905 1906 1907 1908 1909 1910 1911 1912 1913 1914 1915 1916 1917 1918 1919 1920 1921 1922 1923 1924 1925 1926 1927 1928 1929 1930 1931 1932 1933 1934 1935 1936 1937 1938 1939 1940 1941 1942 1943 1944 1945 1946 1947 1948 1949 1950 1951 1952 1953 1954 1955 1956 1957 1958 1959 1960 1961 1962 1963 1964 1965 1966 1967 1968 1969 1970 1971 1972 1973 1974 1975 1976 1977 1978 1979 1980 1981 1982 1983 1984 1985 1986 1987 1988 1989 1990 1991 1992 1993 1994 1995 1996 1997 1998 1999 2000 2001 2002 2003 2004 2005 2006 2007 2008 2009 2010 2011 2012 2013 2014 2015 2016 2017 2018 2019 2020 2021 2022 2023 2024 2025 2026 2027 2028 2029 2030 2031 2032 2033 2034 2035 2036 2037 2038 2039 2040 2041 2042 2043 2044 2045 2046 2047 2048 2049 2050 2051 2052 2053 2054 2055 2056 2057 2058 2059 2060 2061 2062 2063 2064 2065 2066 2067 2068 2069 2070 2071 2072 2073 2074 2075 2076 2077 2078 2079 2080 2081 2082 2083 2084 </p>	

Christian Holinka v. Asbestos - ROUGH DRAFT
February 22, 2007

Christian Holinka
ROUGH DRAFT

Page 8

62

1 IT IS HEREBY STIPULATED AND AGREED by and between
2 the attorneys for the respective parties hereto that
3 filing, sealing and certification of the within
4 Examination Before Trial be waived; that all
5 objections, except as to form, are reserved to the
6 time of trial.
7
8 IT IS FURTHER STIPULATED AND AGREED that the
9 transcript may be signed before any Notary Public with
10 the same force and effect as if signed before a Clerk
11 or Judge of the Court.
12 IT IS FURTHER STIPULATED AND AGREED that the
13 within examination may be utilized for all purposes as
14 provided by the CPLR.
15 IT IS FURTHER STIPULATED AND AGREED that all
16 rights provided to all parties by the CPLR shall not
17 be deemed waived and the appropriate sections of the
18 CPLR shall be controlling with respect thereto.
19 IT IS FURTHER STIPULATED AND AGREED by and
20 between the attorneys for the respective parties
21 hereto that a copy of the Examination shall be
22 furnished, without charge, to the attorney
23 representing the witness testifying herein.
24
25

Page 8

64

1 Christian Holinka
2 If you do not understand any of my
3 questions, will you be sure to tell me?
4 A Yes.
5 Q All of your responses do also have to be
6 verbal because the Court Reporter over here cannot
7 take down physical gestures or things like that.
8 Have you had an opportunity to read the
9 transcript or typed up version of the testimony that
10 you gave a couple of weeks ago?
11 A Yes, I have.
12 Q And in review of that, were there any
13 significant changes or alterations that you feel were
14 not properly reflected in the testimony you gave?
15 A No significant changes.
16 Q As was the case a couple of weeks ago, if
17 at the moment I ask you a question you do not know the
18 answer to it but then at some point later on it comes
19 to you, that is fine, just let us know and we will
20 deal with it at that time. We want to make sure there
21 is an accurate record and give you every option to
22 make an accurate record.
23 Did you take any medications before coming
24 here today?
25 A No.

Page 9

63

1 Christian Holinka
2 CHRISTIAN HOLINKA, the
3 Plaintiff herein, after previously having been
4 duly sworn by a Notary Public of the State of New
5 York, was examined and testified as follows:
6 CONTINUED DIRECT EXAMINATION
7 BY MR. SCHAFFER:
8 Q Good morning, sir.
9 A Good morning.
10 Q My name is David Schaffer, we met off the
11 record just a moment ago. I am with the law firm of
12 Malaby, Carlisle and Bradley, and I am here to
13 continue the questioning that was started by my
14 colleague a couple of weeks ago, Cori Leavitt, who
15 could not be here.
16 I have read your transcript from the
17 testimony you gave a couple of weeks ago and I am
18 going to try not to repeat things. To the extent that
19 I do, please bear with me and we will get through this
20 as quickly as we can.
21 The same ground rules that Ms. Leavitt went
22 over with you apply. Please, wait until I finish my
23 question completely before you start your answer. I
24 will afford you the same courtesy and wait for you to
25 finish your answer before I start my next question.

Page 9

65

1 Christian Holinka
2 Q When did you review the transcript of the
3 last session?
4 A Today.
5 Q How long did you go over it?
6 A About ten minutes.
7 Q Besides possibly representatives of your
8 law firm, did you talk with anyone else about the
9 testimony you gave and plan to give today?
10 A No.
11 MR. SCHAFFER: Off the record.
12 (Discussion held off the record)
13 Q It is my understanding, sir, that you came
14 to the United States in around 1956 after finishing
15 the boarding school in Oldenburg; is that right?
16 A That's correct.
17 Q Now, when you came to the United States,
18 what was the first employment that you had?
19 A I worked briefly as an elevator operator
20 for about five weeks.
21 Q And where was that job?
22 A That was at the Commodore Hotel in New York
23 City.
24 Q And was that in 1956?
25 A Yes.

Christian Holinka v. Asbestos - ROUGH DRAFT
February 22, 2007

Christian Holinka
ROUGH DRAFT

Page 10	Page 12
<p>1 Christian Holinka 66</p> <p>2 Q Do you know approximately when? Even a</p> <p>3 season would be fine.</p> <p>4 A November of '56.</p> <p>5 Q And did that employment carry through into</p> <p>6 1957?</p> <p>7 A No.</p> <p>8 Q Do you believe that you were exposed to</p> <p>9 asbestos in any way while you were working as an</p> <p>10 elevator operator?</p> <p>11 A I do not know.</p> <p>12 Q What were your duties as an elevator</p> <p>13 operator?</p> <p>14 A Operate the elevator.</p> <p>15 Q Bringing individuals up and down the floors</p> <p>16 of the hotel?</p> <p>17 A Yes.</p> <p>18 Q Did you run only the passenger elevators as</p> <p>19 opposed to cargo elevators?</p> <p>20 A Only passenger.</p> <p>21 Q What was the next job that you held after</p> <p>22 being an elevator operator?</p> <p>23 A United States Army.</p> <p>24 Q And when did you join the Army?</p> <p>25 A In November 1956.</p>	<p>1 Christian Holinka 68</p> <p>2 life or events going on in the world, that helps us</p> <p>3 work with a timeline a little bit.</p> <p>4 A Understood.</p> <p>5 Q How long did you work at Booth?</p> <p>6 A Three and a half months.</p> <p>7 Q What was your position there when you</p> <p>8 started?</p> <p>9 A A laboratory technician.</p> <p>10 Q And did you hold that same position</p> <p>11 throughout the entire time you were there?</p> <p>12 A Yes.</p> <p>13 Q What were your duties as a laboratory</p> <p>14 technician?</p> <p>15 A Clinical chemistry, analysis of human</p> <p>16 material serum, urine to an extent.</p> <p>17 Q Were you as a technician responsible for</p> <p>18 screening for any particular types of illnesses or</p> <p>19 problems with respect to the human materials?</p> <p>20 A No.</p> <p>21 Q Do you know if your screening involved the</p> <p>22 screening of any contagions of any type?</p> <p>23 A No.</p> <p>24 Q You do not know?</p> <p>25 A No, I didn't screen for any contagious</p>
Page 11	Page 13
<p>1 Christian Holinka 67</p> <p>2 MR. DARCHE: Off the record.</p> <p>3 (Discussion held off the record)</p> <p>4 Q And you left the Army at what point, sir?</p> <p>5 A In 1959, July or August.</p> <p>6 Q And at that point, sir, did you hold any</p> <p>7 other jobs before going on to UC Berkeley?</p> <p>8 A Yes.</p> <p>9 Q Can you tell me what was the next</p> <p>10 employment you had after you were discharged?</p> <p>11 A Booth Memorial Hospital in New York, in</p> <p>12 Queens.</p> <p>13 Q When did you start at Booth Memorial?</p> <p>14 A In late 1959, I think September.</p> <p>15 Q And if Ms. Leavitt did not give you this</p> <p>16 instruction last time, I will give it to you now: To</p> <p>17 the extent that I am asking you about things that</p> <p>18 happened to some degree decades even in the past, if</p> <p>19 there is a way that you can give me your best estimate</p> <p>20 if you do not know precisely, that is fine,</p> <p>21 understood? If you are just flat-out guessing, nobody</p> <p>22 here wants you to do that. Tell me you do not know</p> <p>23 and we will move forward. But we are entitled to a</p> <p>24 best estimate and sometimes if you can tie things like</p> <p>25 dates or events into either events in your personal</p>	<p>1 Christian Holinka 69</p> <p>2 material.</p> <p>3 Q Who was your supervisor when you were</p> <p>4 working at Booth?</p> <p>5 A Dr. Blaustein.</p> <p>6 Q Do you remember Dr. Blaustein's first name?</p> <p>7 A Ansel.</p> <p>8 Q Is Dr. Blaustein still alive, if you know?</p> <p>9 A No. No, he's not still alive.</p> <p>10 Q I try not to ask questions in an ambiguous</p> <p>11 fashion but please, clarify as you are doing.</p> <p>12 Besides yourself were there other</p> <p>13 laboratory technicians working alongside you with</p> <p>14 similar duties?</p> <p>15 A The section head of the laboratory.</p> <p>16 Q And who was that?</p> <p>17 A Her name is Olga, first name, last name</p> <p>18 Bzrorad. I'm going to try to spell it.</p> <p>19 Q Okay, thank you.</p> <p>20 A B-Z-R-O-R-A-D. I'm not sure of the</p> <p>21 spelling.</p> <p>22 Q And is Olga still alive?</p> <p>23 A Yes -- I don't know but -- I don't know.</p> <p>24 Q When was the last time you had any contact</p> <p>25 with her?</p>

Christian Holinka v. Asbestos - ROUGH DRAFT
February 22, 2007

Christian Holinka
ROUGH DRAFT

Page 16

Page 14

1 Christian Holinka 70
2 A In 1960.
3 Q So, over 40 years ago?
4 A Uh-huh.
5 Q That is a yes, right?
6 A Yes.
7 Q So, was the chain of command you would
8 report to Olga and then Dr. Blaustein supervised
9 everybody?
10 A Yes, that's correct.
11 Q Did anybody else work with you at Booth
12 during that three and a half months?
13 A Yes.
14 Q Who else did?
15 A I don't remember their names.
16 Q Did they have duties similar to yours as a
17 lab technician?
18 A Yes.
19 Q What were your shift or hours typically?
20 A Nine to five, day shift.
21 Q Monday to Friday?
22 A Yes.
23 Q How did you get that job?
24 A I applied for it at the hospital. Being
25 trained in the Army as a medical laboratory

1 Christian Holinka 72
2 Q And replace it?
3 A And replace it, yes.
4 Q Can you give us any sort of a
5 quantification as to how long a Bunsen burner pad
6 would last?
7 A It depends on the frequency of its use.
8 And usually a Bunsen burner is the principle heat
9 source of all the laboratories I've worked in.
10 Usually it's used pretty frequently, meaning certainly
11 daily, very frequently. I would guess, and that's not
12 a precise answer, that certainly every few days you
13 would replace it. But again, it depends upon the
14 frequency of use.
15 Q Understood. Would it also depend on the
16 temperature of the flame that was being used in any
17 application?
18 A I would say the flame temperature is pretty
19 constant. It's gas that comes right out of a burner.
20 Q Do you know what the temperature of the gas
21 typically was out of those Bunsen burners?
22 A No. Interesting question.
23 Q Do you know what the fuel source of the gas
24 was?
25 A I would imagine the same fuel source that

Page 17

Page 15

1 Christian Holinka 71
2 technologist I was qualified.
3 Q During the time that you were at Booth, do
4 you believe that you were exposed to asbestos in any
5 way?
6 A Yes.
7 Q Do you believe that you personally handled
8 any materials that contained asbestos while at Booth?
9 A Yes.
10 Q Can you tell me all the different types of
11 materials that you handled that you believe contained
12 asbestos when you worked there?
13 A Bunsen burner pads that had a center round
14 asbestos component to diffuse the heat, distribute the
15 heat uniformly. And heat mittens that were used to
16 handle hot glass work from drying ovens or otherwise
17 hot.
18 Q How do you believe that you were exposed to
19 asbestos from the Bunsen burner pads at Booth?
20 A The asbestos gradually becomes brittle due
21 to the high heat and the heat moves the air really and
22 one would expect that dust particles would be
23 generated. Also once the Bunsen burner pad was no
24 longer usable because the center piece became brittle,
25 you dispose of it.

1 Christian Holinka 73
2 was used in households for gas flames.
3 MR. DARCHE: Don't guess.
4 A I don't know.
5 Q And I am just asking you what you know.
6 How many Bunsen burners were in the lab
7 when you worked there?
8 A Half a dozen.
9 Q If there was an occasion as you described
10 that the pad had to be replaced, where would you get
11 the replacement pad from?
12 A It was standard equipment at a laboratory.
13 There was a supply cabinet and I took it from there.
14 Q Do you recall what the supply cabinet at
15 Booth looked like?
16 A No.
17 Q Do you recall what color the pads were at
18 Booth? Let's start with the new ones first.
19 A Well, the metal grid was grayish metal,
20 fine grayish metal, and the center round pad was tan,
21 whitish-tan, whitish-gray.
22 Q And the metal portion, was that like a
23 mesh?
24 A Yes.
25 Q How far across in diameter would the pad

5 (Pages 14 to 17)

Christian Holinka v. Asbestos - ROUGH DRAFT
February 22, 2007

Christian Holinka
ROUGH DRAFT

Page 18

1 Christian Holinka 74
2 section of that be?
3 A About that wide. (Indicating)
4 Q Which would be what, sir? Since the Court
5 Reporter cannot take down that gesture.
6 A About 3 1/2 inches.
7 Q And did the material protrude from the
8 plane of the mesh both above and below it? Do you
9 know what I mean?
10 A Above, to my recollection mainly above.
11 Q Any idea how thick the material was?
12 A A few millimeters.
13 Q Do you know the brand, trade or
14 manufacturer's name of any of the Bunsen burner pads
15 that you used at Booth Memorial?
16 A There were standard suppliers to that lab
17 and later during my research career such as Fisher
18 Scientific, American Scientific, Senco, Van Waters and
19 Rogers. Those were the major suppliers.
20 MS. LYONS: Could you read that back,
21 please.
22 (Whereupon, at this time, the requested
23 portion was read back by the reporter)
24 Q And with respect, sir, and just limiting
25 our question right now to the time you were at Booth,

Page 19

1 Christian Holinka 75
2 do you know what company supplied the pads that were
3 used at Booth?
4 A No, I do not.
5 Q The names that you gave me are names that
6 you associate with supplier's pads throughout your
7 career; is that right?
8 A Yes. And if I may say so, Booth was a job.
9 I walked in there in the morning, did my work unlike
10 later my scientific career, did my work and was not
11 really further involved in any of the details of the
12 laboratory.
13 Q I understand. Did you have any
14 responsibility for ordering any of the supplies that
15 were used at that lab?
16 A No.
17 Q Did you ever see any paperwork that
18 accompanied any of the supplies that were ordered at
19 the lab and present in the supply area?
20 A No, I didn't.
21 Q You indicated that you also used heat
22 mittens at Booth?
23 A Yes.
24 Q With what frequency would you use the heat
25 mittens?

Page 20

1 Christian Holinka 76
2 A Daily.
3 Q And I believe you said that you would use
4 them to handle hot glassware; is that right?
5 A Yes.
6 Q Did you use them for any other application?
7 A No.
8 Q Did the mittens that you used at Booth --
9 MR. SCHAFFER: Withdrawn.
10 Q When you first started using the mittens at
11 Booth, what did they look like? Let's start with
12 color.
13 A Tanish, light gray. And they had a thumb
14 compartment and a compartment for the whole hand.
15 Q So, they did not have individual fingers?
16 A No.
17 Q Did they cover just the hand or did they
18 run a length up your arm to some degree?
19 A Including the wrist. (Indicating)
20 Q Did the gloves appear to be made of one
21 continuous piece or did they have a sleeve or anything
22 around the end of them by the wrist? Do you
23 understand my question?
24 A Yes.
25 Q Okay.

Page 21

1 Christian Holinka 77
2 A They did not have a sleeve to the best of
3 my recollection.
4 Q Were there any words or logos or anything
5 of any nature printed on the gloves themselves that
6 you used at Booth?
7 A Not to my recollection, no.
8 Q Did they have a different material on their
9 inside as opposed to their outside?
10 A By inside you mean inside the glove or on
11 the one side of the glove versus the other?
12 Q Well, let me start with the portion of the
13 glove that you would slide your hand into that was
14 immediately contacting your skin, was that surface
15 similar to the surface that you would see on the
16 outside of the glove?
17 A To the best of my recollection, yes.
18 Q And was there a difference in the exterior
19 surface of the glove between the portion that covered
20 your palm as opposed to the portion that covered the
21 back of your hand?
22 A To the best of my recollection, no.
23 Q Do you have any information as to the
24 brand, trade, manufacturer's name or supplier of the
25 gloves that were used at Booth, specifically at Booth?

Christian Holinka
ROUGH DRAFTChristian Holinka v. Asbestos - ROUGH DRAFT
February 22, 2007

Page 22

1 Christian Holinka 78
2 A They were standard suppliers that were used
3 by the laboratory.
4 Q When you say standard suppliers, sir, let
5 me ask you as with the Bunsen burner pads, did you
6 have any responsibility to order the gloves that were
7 used at the lab?
8 A No, I didn't.
9 Q Do you know who did have that
10 responsibility?
11 A No.
12 Q And I can appreciate the fact that that was
13 just a job for you, sir, but specifically with respect
14 to Booth, do you know who manufactured or supplied any
15 of the gloves that you used there?
16 A There were major suppliers for laboratory
17 equipment and those suppliers supplied a broad
18 spectrum of what was needed at the laboratory.
19 Q Understood. But with respect to Booth, do
20 you know who specifically supplied the gloves you used
21 there?
22 A No, I do not.
23 Q Besides the gloves and the Bunsen burner
24 pads, do you believe you personally handled any other
25 types of materials at Booth that you think caused you

Page 23

1 Christian Holinka 79
2 to be exposed to asbestos?
3 A I do not know.
4 Q How long would a pair of gloves typically
5 last when you were using them?
6 A Again, it depends on the use of course. I
7 cannot estimate.
8 Q And as you sit here today, besides the pads
9 and the mittens - I'm sorry, we have been calling
10 them gloves interchangeably.
11 A Gloves, mittens, yes.
12 Q Besides the pads and the mittens, are you
13 aware as you sit here today of any other way that you
14 may have been exposed to asbestos when you worked at
15 the lab at Booth?
16 A No, I am not aware of any other way.
17 Q Why did you leave the job at Booth?
18 A Because I was accepted by the University of
19 California at Berkeley as an undergraduate student.
20 Q And you went out to Berkeley and began your
21 study; is that right?
22 A Yes.
23 Q As an undergraduate student, did you have
24 any major or particular field of study that you
25 pursued?

Page 24

1 Christian Holinka 80
2 A Physiology and French literature.
3 Q And did you get your undergraduate degree
4 in four years?
5 A In two and a half years.
6 Q Were you in a combined undergraduate and
7 Master's program?
8 A No.
9 Q Did you take classes 12 months of the year
10 to accelerate your graduation?
11 A That's correct.
12 Q During the time that you were taking
13 undergraduate classes at UC Berkeley, do you believe
14 that you were exposed to asbestos in any way?
15 A Yes, I was.
16 Q And again, limiting it to the two and a
17 half years that you were there as an undergraduate,
18 how do you believe that you were exposed to asbestos?
19 A I worked part-time at a research laboratory
20 with standard equipment including, of course, Bunsen
21 burners, heat mittens.
22 Q Besides the work part-time at the research
23 laboratory for those two and a half years, do you
24 believe that you were exposed to asbestos in any other
25 way while you were an undergraduate?

Page 25

1 Christian Holinka 81
2 A Well, as part of your laboratory courses in
3 academia, you do experiments requiring Bunsen burners.
4 Q Let's talk about then the part-time work
5 you did first. What was the name of the research
6 laboratory that you did the part-time work at?
7 A Department of physiology.
8 Q So, this was a lab that was affiliated with
9 the school?
10 A Yes.
11 Q When did you first start working there
12 part-time as an undergraduate?
13 A In spring 1960.
14 Q Did you work there continuously part-time?
15 A Yes.
16 Q For how long did you work there
17 continuously part-time?
18 A Until mid-1962.
19 Q And it was at that point that you had
20 completed your undergraduate work?
21 A Yes.
22 Q Where was the department of physiology lab
23 located?
24 A At the Life Sciences Building on the main
25 campus, University of Cal Berkeley.

7 (Pages 22 to 25)

Christian Holinka v. Asbestos - ROUGH DRAFT
February 22, 2007

Christian Holinka
ROUGH DRAFT

Page 26

Page 26

1 Christian Holinka 82
2 Q Do you know if that building is still
3 there?
4 A Yes.
5 Q It is?
6 A Yes, it is.
7 Q And when was the last time that you had an
8 opportunity to be in that building?
9 A About a year and a half ago, two years ago.
10 Q Did you have the opportunity to go to the
11 space where you worked out of in your last visit?
12 A I had the opportunity but I did not go into
13 the laboratories. The building has been completely
14 changed and renovated.
15 Q So, you understand that the physical layout
16 of the area where you were working part-time has
17 changed from the time that you were there?
18 A Yes.
19 Q When you were there can you give me an idea
20 of the size of the laboratory that you were in?
21 A In square feet?
22 Q Or by length and width, height, anything
23 you can do.
24 A It was two different rooms about 4 to 600
25 square feet.

Page 27

Page 29

1 Christian Holinka 83
2 Q And did you work in both rooms?
3 A Yes.
4 Q Were the Bunsen burners in one room or both
5 rooms?
6 A In both.
7 Q How many Bunsen burners were in the rooms?
8 A About two each.
9 Q Did these Bunsen burners in their physical
10 appearance seem similar to those that you encountered
11 when you were at Booth?
12 A Yes.
13 Q How do you believe that you were exposed to
14 asbestos from the Bunsen burners as a part-time worker
15 at UC Berkeley?
16 A As the flame when it was used frequently,
17 the insert became brittle, it generated dust and it
18 had to be exposed -- disposed of and replaced by
19 another pad.
20 Q Was there anything different about the
21 nature you believe you were exposed from those Bunsen
22 burners at UC Berkeley as opposed to those you
23 encountered at Booth?
24 A No.
25 Q Did you ever have any responsibility for

1 Christian Holinka 84
2 replacing these spent pads while you were working
3 part-time at Berkeley?
4 A Yes.
5 Q And where would you get the replacement
6 pads from?
7 A The departmental supply cabinet.
8 Q And thinking back to the lab at Berkeley,
9 where was that located?
10 A At the Life Sciences Building in the
11 physiology department.
12 Q Was it located within the physical space of
13 the two rooms that comprised the lab?
14 A It was in a separate room, the supply room.
15 Q Down a hallway or something like that?
16 A Down a hallway, yes.
17 Q How many times do you recall picking up
18 replacement pads?
19 A I do not recall exactly.
20 Q Was there --
21 A An estimate is once every two or three
22 weeks.
23 Q And the replacement process would entail
24 removing the old pad, then what would happen with it?
25 A You dispose the old pad in general garbage,

1 Christian Holinka 85
2 trash. There was to my knowledge no precaution
3 required at the time.
4 Q In order to remove the pad, did you have to
5 remove any screws or snaps or anything to take it away
6 from the rest of the burner itself?
7 A No, I didn't.
8 Q Just lifted it right up and it went?
9 A Yes.
10 Q Do you know the brand, trade or
11 manufacturer's name first of any of the Bunsen burner
12 pads that you replaced at Berkeley?
13 A I do not. We had standard suppliers and
14 the big suppliers were Fisher Scientific, American
15 Scientific, Van Waters and Rogers, Senco.
16 Q How do you spell Senco?
17 A S-E-N-C-O.
18 Q Do you know that each of those companies
19 was a supplier of materials generally to the lab that
20 you worked at part-time?
21 A Yes.
22 Q How did you know that each of them supplied
23 materials of whatever nature?
24 A They were major suppliers and I know they
25 were used for a number of materials for the

Christian Holinka v. Asbestos - ROUGH DRAFT
February 22, 2007

Christian Holinka
ROUGH DRAFT

Page 32

Page 30

Christian Holinka 86

1 laboratory.

2 Q What I am trying to find out, sir, is why

3 you believe that those companies supplied materials of

4 any nature to that lab, how did you come into that

5 knowledge?

6 A Because they were standard suppliers.

7 Q How did you know that they were standard

8 suppliers?

9 A Well, among other things I ordered from

10 them.

11 Q When you were at the lab.

12 A Yes.

13 Q As a part-timer.

14 A Yes.

15 Q Did these companies have catalogs of their

16 material available?

17 A Very conspicuously, yes.

18 Q Did each one of those companies have

19 catalogs at the lab?

20 A I do not specifically recall at Berkeley

21 during my undergraduate days.

22 Q Did the physical appearance of the pads

23 that you used at Berkeley seem similar to those that

24 you encountered at Booth?

25

Christian Holinka 88

1 Q To transport it from point A to point B?

2 A Or even to swirl it while it is being

3 heated.

4 Q I see, to grab the flask itself?

5 A To dissolve the material. And you also use

6 the mittens when you dry glassware in a hot drying

7 oven at very high temperatures and then you handle it.

8 If you want to cool it, you take it fast, you take it

9 out into the open space.

10 Q Besides the Bunsen burners and the mittens,

11 do you believe that you personally used any other

12 materials that contained asbestos while part-time at

13 the lab?

14 A I don't know.

15 Q Is there anything that as you sit here

16 today leads you to believe that there was other

17 products that you handled that may have contained

18 asbestos there?

19 A I don't know.

20 Q Besides the products that you handled, do

21 you believe that you were exposed to asbestos in any

22 other way when you were working part-time at the lab?

23 A I don't know.

24 Q You cannot give me any other specific way

25

Page 33

Page 31

Christian Holinka 87

1 A Yes, they did.

2 Q Same diameter of the pad area within the

3 mesh?

4 A Yes.

5 Q And same width too?

6 A Yes.

7 Q How often would you be required to use heat

8 mittens when you were part-time at the lab?

9 A Several times a week.

10 Q And for what application at the lab as a

11 part-time worker would you use the mittens?

12 A To handle hot glass work.

13 Q And where would the glass work be coming

14 from?

15 A Standard glass work at the laboratory that

16 they used for research. Erlenmeyer flasks, other

17 flasks, beakers, standard glass material.

18 Q What application would require you to use

19 the gloves to handle these standard pieces of

20 glassware?

21 A When you have a flask you put it on the

22 Bunsen burner pad, you heat water or whatever liquid,

23 you swirl it, obviously you have to use the glove

24 because the glass is hot.

25

Christian Holinka 89

1 that you think you may have been exposed to asbestos

2 when you were at the lab?

3 MR. DARCHE: Objection to the form.

4 MR. SCHAFFER: I will rephrase the

5 question.

6 Q Looking back is there any other way that

7 you can think of at this time that you may have been

8 exposed to asbestos there?

9 A I do not know what other equipment may or

10 may not have contained asbestos.

11 Q Did you --

12 A If yes then --

13 MR. DARCHE: Don't guess.

14 Q Going to the mittens for a moment, did

15 these resemble those that you had encountered at

16 Booth?

17 A Yes.

18 Q Was there anything different about their

19 physical appearance in terms of their color or their

20 size or anything at all that distinguished them from

21 those at Booth?

22 A No, they were similar.

23 Q Do you know specifically the brand, trade

24 or manufacturer of the mittens that were used when you

25

9 (Pages 30 to 33)

Christian Holinka v. Asbestos - ROUGH DRAFT
February 22, 2007

Christian Holinka
ROUGH DRAFT

Page 34

1 Christian Holinka 90
2 were at the lab part-time?
3 A No.
4 Q Do you believe that they were supplied by
5 one of the companies that you have identified?
6 A Yes.
7 Q Do you know which of those companies, if
8 any, actually supplied the mittens while you were
9 there?
10 A I do not know any specific company. Again,
11 they were standard suppliers.
12 Q You said that as a part --
13 MR. SCHAFFER: Withdrawn.
14 Q You said that while working there part-time
15 you had some responsibility for ordering supplies; is
16 that right?
17 A Yes.
18 Q Do you specifically recall ordering any
19 Bunsen burner pads?
20 A No, I never did.
21 Q Do you specifically recall ordering any
22 mittens while you were there part-time?
23 A No, I never did order any.
24 Q While you were there part-time, do you know
25 who had that responsibility when you were there?

Page 35

1 Christian Holinka 91
2 A I don't know.
3 Q Did you work with other people there?
4 A No, I didn't.
5 Q Were there other students who held
6 part-time positions similar to you?
7 A Yes, at other laboratories.
8 Q At other laboratories located on the
9 campus?
10 A In the physiology department, yes, on the
11 campus.
12 Q Were there additional laboratories in this
13 building where other students worked where you did not
14 work?
15 A I don't know.
16 Q Did the two room laboratory in the Life
17 Sciences Building have any specific name or room
18 number or designation or anything like that?
19 A A room number.
20 Q Yes.
21 A Certainly.
22 Q Do you remember what that was?
23 A No.
24 Q You mentioned also that you took lab
25 courses while you were an undergraduate.

Page 36

1 Christian Holinka 92
2 A Yes.
3 Q How many lab courses did you take?
4 MR. SCHAFFER: I'm sorry, I will withdraw
5 the question.
6 Q My question is how many lab courses did you
7 take that you believe may have involved asbestos
8 exposure.
9 A About a half a dozen.
10 Q What type of courses were these?
11 A Chemistry, physiology.
12 Q Did you take these classes in the Life
13 Sciences Building?
14 A In several buildings, physiology and the
15 Life Sciences Building.
16 Q Were the physiology classes taken at least
17 in part in the same lab where you worked part-time?
18 A No.
19 Q Different space entirely?
20 A Yes.
21 Q Just going back for a moment to when you
22 were a part-time worker, about how many hours on
23 average did you put in there?
24 A Between 12 and 20 hours a week.
25 Q And who was your supervisor when you were

Page 37

1 Christian Holinka 93
2 there?
3 A Dr. Cook.
4 Q Do you know Dr. Cook's first name?
5 A Sherburne.
6 Q And is Dr. Cook still alive?
7 A No.
8 Q The classes that you took in chemistry and
9 physiology, how do you believe you were exposed to
10 asbestos through taking those classes?
11 A The asbestos pad, as I said, when exposed
12 to high heat disintegrated eventually. There were
13 cracks in it and it generated fine dust. I did not
14 dispose, that was somebody else's job.
15 Q So, it would have been through your use of
16 the Bunsen burners and these pads --
17 A Yes.
18 Q -- at times while taking these classes?
19 A Yes.
20 Q Was there a standard amount of Bunsen
21 burners present in the labs that you would take these
22 classes in?
23 A One per workbench.
24 Q Would you typically work at the same
25 workbench each class or would it just be random?

Christian Holinka v. Asbestos - ROUGH DRAFT
February 22, 2007

Christian Holinka
ROUGH DRAFT

Page 40

Page 38

1 Christian Holinka 94
2 A In a given course the same workbench.
3 Q Did you wind up taking different courses,
4 say in chemistry, that wound up being in the same room
5 but different work spaces?
6 A I don't think the same room and, therefore,
7 also different work spaces.
8 Q And then going to the physiology classes,
9 did you take different courses in physiology where you
10 used these Bunsen burners?
11 A Yes.
12 Q Were they all in the same classroom or
13 different classrooms?
14 A Different laboratories.
15 Q And different work spaces?
16 A Yes.
17 Q Do you know the brand, trade or
18 manufacturer's name of any of the pads that were used
19 on the Bunsen burners that you encountered in any of
20 these classes?
21 A Of the pads you're saying?
22 Q Yes, of the pads.
23 A I do not specifically know the brand names.
24 Q Do you know who was the supplier of those
25 pads that you encountered specifically in those rooms?

Page 39

1 Christian Holinka 95
2 A There were standard suppliers also to the
3 physiology department.
4 Q As a student you did not have
5 responsibilities for ordering supplies, right?
6 A No, I did not.
7 Q Besides encountering the Bunsen burner
8 pads, are there any other ways that you think you were
9 exposed to asbestos during the course work that you
10 took at UC Berkeley?
11 A We did use heat mittens but otherwise to my
12 knowledge, no.
13 Q How often would you need to use a heat
14 mitten during the course of a class?
15 A At a given session several times.
16 Q Did you need to use them during every
17 session?
18 A No.
19 Q And a session or a period was how long,
20 sir, about?
21 A Typically about twice a week for 12 weeks.
22 Q And each session twice a week would be
23 about how long?
24 A About three hours.
25 Q And do you know the brand, trade or

1 Christian Holinka 96
2 manufacturer's name of any of the mittens that you
3 used in any of these courses?
4 A No.
5 Q Were they similar in appearance to the
6 mittens that you encountered while working part-time
7 in the lab?
8 A Yes, they were.
9 Q Anything distinguishing in your mind about
10 them as opposed to what you saw in the lab?
11 A To my knowledge, no.
12 Q That is all I am asking is to your
13 knowledge.
14 A Okay.
15 Q Outside of the Bunsen burner pads and the
16 mittens, do you believe that you were exposed to
17 asbestos in any other way while taking the classes as
18 an undergraduate?
19 A I do not know.
20 Q Can you, as you sit here today, give me any
21 other specific way that you think you may have been
22 exposed to asbestos from the classes besides what you
23 told me?
24 A No, I cannot.
25 Q Besides the course work in the labs, are

Page 41

1 Christian Holinka 97
2 there any other ways that you believe that you were
3 exposed to asbestos as an undergraduate at UC Berkeley
4 through your studies as opposed to work?
5 A I do not believe so.
6 Q What degree did you get?
7 A A BA.
8 Q In what?
9 A French literature and physiology as a
10 minor.
11 Q After you graduated did you become employed
12 at the school?
13 A No, I did not.
14 Q What was your next, after you obtained your
15 undergraduate degree, what was next in your
16 professional career?
17 A I started, I worked as a graduate student
18 in physiology, I was a graduate student in physiology.
19 Q And when did you -- you graduated, I'm
20 sorry, undergrad in middle 1962?
21 A Yes.
22 Q And that would have been sometime in the
23 summer?
24 A Yes.
25 Q And did you go right into the graduate

Christian Holinka v. Asbestos - ROUGH DRAFT
February 22, 2007

Christian Holinka
ROUGH DRAFT

Page 42

1 Christian Holinka 98
2 student program at that time?
3 A No, I did not.
4 Q What happened in between the time that you
5 left undergrad and you started graduate studies?
6 A I was in New York part-time for a period of
7 time not involving any laboratory.
8 Q Well, how long were you in New York after
9 you finished undergrad?
10 A For about six months.
11 Q Taking us from when to when?
12 A Taking us from the end of the year -- well,
13 there was a very brief period I was in medical school.
14 Q Okay.
15 A But not really in a major, about three
16 months.
17 Q So, let's kind of break it down a little
18 bit more. You finished your undergraduate degree in
19 the middle of 1962, and then you started med school,
20 would that be in the fall of 1962?
21 A There is a kind of a hiatus.
22 Q All right.
23 A I was at Hunter -- from New York, from
24 Berkeley I was at Hunter College as a student for two
25 semesters.

Page 43

1 Christian Holinka 99
2 Q Let me then, what I want to try to do, sir,
3 is keep it as ordered chronologically as much as we
4 can. So, after you leave UC Berkeley --
5 MR. SCHAFFER: Withdrawn.
6 Q After you graduate from UC Berkeley, did
7 you move to New York at that time?
8 A Yes, I did.
9 Q So, you moved to New York.
10 A Yes.
11 Q When do you get to New York approximately?
12 A In the fall -- late summer of that year,
13 1962.
14 Q From the time that you graduated until you
15 came to New York, did you work at all in California?
16 A No.
17 Q Why did you come to New York?
18 A I like New York.
19 Q And when you came to New York, is that when
20 you began your studies at Hunter?
21 A Yes.
22 Q Were those full-time studies?
23 A Yes.
24 Q And what degree or types of course work
25 were you pursuing at that time?

Page 44

1 Christian Holinka 100
2 A Graduate work, graduate studies.
3 Q And you started that course work in the
4 fall of 1962?
5 A Yes.
6 Q And you took it for two semesters?
7 A Yes.
8 Q That would take us into the late spring or
9 early summer of 1963?
10 A That's correct.
11 Q What was the nature of the studies that you
12 were pursuing at Hunter at that time?
13 A Biology.
14 Q Were you accepted into a graduate program?
15 A Yes.
16 Q Do you believe that you were exposed to
17 asbestos in any of the courses that you took over
18 those two semesters at Hunter?
19 A Yes.
20 Q And how do you believe that you were
21 exposed to asbestos while attending the course work at
22 Hunter for those two semesters?
23 A There was one chemistry laboratory that had
24 practical sessions, laboratory sessions.
25 Q And how do you believe you were exposed to

Page 45

1 Christian Holinka 101
2 asbestos taking those sessions?
3 A By using Bunsen burners. I do not recall
4 using heat mittens.
5 Q What building was the laboratory in, if you
6 know?
7 A On the Park Avenue building.
8 Q And was this one class that you took or
9 more than one class in the laboratory?
10 A I believe it was only one class.
11 Q And do you know whether this was in your
12 first semester or second semester there?
13 A I don't remember.
14 Q How long did that class typically last?
15 A One semester, approximately four months.
16 Q And each week how many sessions and how
17 long were they?
18 A I believe one session.
19 Q And how many hours would the session be?
20 A Three hours.
21 Q And do you believe that you were exposed to
22 asbestos from the Bunsen burners at this laboratory in
23 a fashion similar to those that you described in your
24 prior employments and course work?
25 A Yes.

Christian Holinka v. Asbestos - ROUGH DRAFT
February 22, 2007

Christian Holinka
ROUGH DRAFT

Page 46

1 Christian Holinka 102
2 Q Was there anything physically different
3 about the Bunsen burners there as opposed to ones you
4 had encountered before?
5 A No.
6 Q Do you know the brand, trade or
7 manufacturer's name of any of the Bunsen burners or
8 any of their components that you saw at the chemistry
9 lab at Hunter?
10 A No.
11 Q Do you know who supplied any of the Bunsen
12 burners or Bunsen burner components that you used
13 there at that lab?
14 A No, I don't.
15 Q Did you ever have to replace any of the
16 Bunsen burner pads there in a fashion similar to what
17 you told us before?
18 A No; I did not.
19 Q Are there any other ways --
20 MR. SCHAFFER: Withdrawn.
21 Q Are there any other ways that you believe
22 you were exposed to asbestos while attending school at
23 Hunter?
24 A Not to my knowledge.
25 Q Why did you stop attending Hunter?

Page 48

1 Christian Holinka 104
2 (Whereupon, at 11:20 A.M., a short recess
3 was taken)
4 (Back on the record at 11:30 A.M.)
5 Q Sir, we are back on the record and I think
6 we had your chronology up to when you were starting
7 medical school at McGill in the fall of 1963. You
8 told us that you were in medical school for
9 approximately three months?
10 A That's correct.
11 Q Until around the holiday season of 1953?
12 A No, '63.
13 Q I'm sorry, '63.
14 A Early '64, I believe.
15 Q Did you finish one semester there and start
16 another?
17 A Yes. I did not start another.
18 Q During the time that you were there for
19 that one semester, what types of course work did you
20 take?
21 A Mainly lecture courses and one laboratory
22 course.
23 Q Do you believe that any of your course work
24 while you were attending medical school at McGill
25 caused you to be exposed to asbestos?

Page 47

1 Christian Holinka 103
2 A I was accepted to medical school.
3 Q And what medical school?
4 A McGill University, Montreal.
5 Q And were you accepted to begin course work
6 in the fall of 1963?
7 A That's correct.
8 Q From the time you left your graduate
9 studies at Hunter until the time that you --
10 MR. SCHAFFER: Withdrawn.
11 Q Did you actually start medical school at
12 McGill?
13 A Yes, yes, I did.
14 Q From the time you left Hunter until the
15 time you went to Montreal to begin medical school,
16 what type of employment did you have, if any?
17 A I did not have any employment.
18 Q That summer you did not work?
19 A Right.
20 Q What did you do?
21 A Read.
22 Q To get ready --
23 A Listen to music.
24 MR. DARCHE: Could we take a quick break,
25 please.

Page 49

1 Christian Holinka 105
2 A No, I was not, I do not believe having been
3 exposed to asbestos.
4 Q And did you leave medical school for
5 academic reasons?
6 A No.
7 Q Why did you leave medical school?
8 A Because I didn't like the medical
9 curriculum.
10 Q While you were attending medical school at
11 McGill, was there any time to hold part-time work?
12 A No.
13 Q And after you left medical school, what did
14 you do next?
15 A I went back to Berkeley, California.
16 Q You had mentioned at one point that you
17 were in New York part-time for about six months
18 although we had not discussed that yet, are we still
19 before that period of time happens?
20 A We are before that period of time.
21 Q So, you went back to Berkeley and --
22 A And it was longer than six months.
23 Q Then when you went back to Berkeley, what
24 did you do when you went back to Berkeley?
25 A I worked at the same research laboratory

Christian Holinka v. Asbestos - ROUGH DRAFT
February 22, 2007

Christian Holinka
ROUGH DRAFT

Page 50

1 Christian Holinka 106
2 that I had worked in as an undergraduate under
3 essentially the same conditions and the same space.
4 Q Were you taking classes at this time when
5 you went back to Berkeley?
6 A No.
7 Q So, you were an employee of the school; is
8 that fair to say?
9 A Yes.
10 Q And when you went back to work at the lab
11 at Berkeley, it was in the same physical space, the
12 two rooms that you discussed in the Life Sciences
13 Building?
14 A That's correct.
15 Q As a full-time employee what was your shift
16 there?
17 A Depended on the project. I worked
18 full-time essentially during the day.
19 Q Let me ask --
20 A But it was flexible.
21 Q Let me ask it a different way: On average
22 how many hours a week did you put in?
23 A Forty hours.
24 Q And how long did you hold this position as
25 an employee of the university working in the lab?

Page 51

1 Christian Holinka 107
2 A Until approximately August of that year,
3 1964.
4 Q Did you go right back to Berkeley after you
5 ended your studies at McGill?
6 A Yes.
7 Q So, the total time back at Berkeley is
8 somewhere in the seven or eight month range; is that
9 fair, sound about right?
10 A So far, yes.
11 Q Right.
12 A Where we are now.
13 Q Where we are now.
14 A Yes.
15 Q During the time that you were back at the
16 laboratory as an employee of the school working
17 full-time, do you believe that you were exposed to
18 asbestos?
19 A Yes.
20 Q Do you believe that you were exposed to --
21 MR. SCHAFFER: Withdrawn.
22 Q For this six month period how do you think
23 you were exposed to asbestos?
24 A By Bunsen burner pads and heat insulating
25 mittens.

Page 52

1 Christian Holinka 108
2 Q During this time that you were working for
3 the school at the lab, did you have responsibility for
4 ordering any of these materials that were used during
5 this period?
6 A No, I did not.
7 Q Was there anything different about the
8 Bunsen burner pads in terms of their physical
9 appearance during this employment as compared to those
10 you had seen previously?
11 A No.
12 Q Was there anything different about the
13 appearance of the mittens?
14 A No.
15 Q And do you know the brand, trade or
16 manufacturer's names of any of the pads that you
17 encountered during this time that you were employed by
18 the school up to 1964, August?
19 A It was standard suppliers.
20 Q But specifically with respect to the pads
21 that you used or encountered during that period in
22 1964, do you know who made or supplied them?
23 A No, I don't. But they were routinely
24 ordered from standard suppliers, the companies; Fisher
25 Scientific, American Scientific, Senco, Van Waters and

Page 53

1 Christian Holinka 109
2 Rogers.
3 Q Do you know who had the responsibility for
4 ordering materials that were used during that time
5 period in 1964 that you were working at the lab?
6 A No, I do not. They were centrally ordered.
7 Q Do you know specifically the brand, trade
8 or manufacturer's name of the mittens that you used
9 during that time period in 1964?
10 A No, I do not.
11 Q Did you use or encounter both of those
12 materials --
13 MR. SCHAFFER: Withdrawn.
14 Q Was there anything different about the
15 frequency that you used these materials while you were
16 employed as opposed to that when you were working
17 part-time?
18 A I used them proportionately more frequent.
19 Q As a full-time person?
20 A Yes.
21 Q Who was your supervisor or the person you
22 reported to there?
23 A Dr. Cook, Professor Sherburne S. Cook.
24 Q How would you spell Sherburne?
25 A S-H-E-R-B-U-R-N-E.

Christian Holinka v. Asbestos - ROUGH DRAFT
February 22, 2007

Christian Holinka
ROUGH DRAFT

Page 54	Page 56
<p>1 Christian Holinka 110</p> <p>2 Q Are there any other -- as you sit here</p> <p>3 today, do you believe that you were exposed to</p> <p>4 asbestos in any other way working at the lab as a</p> <p>5 full-time employee in 1964?</p> <p>6 A I do not know.</p> <p>7 Q You cannot tell me any other specific ways</p> <p>8 at this time?</p> <p>9 A No.</p> <p>10 Q The number of burners were the same in both</p> <p>11 rooms as you had seen before?</p> <p>12 A Yes.</p> <p>13 Q Was the attendant equipment the same as it</p> <p>14 had been before?</p> <p>15 A Yes.</p> <p>16 Q What happened next after you were working</p> <p>17 full-time in August of 1964?</p> <p>18 A I was accepted as a graduate student in</p> <p>19 physiology by the University of California, Berkeley.</p> <p>20 Q And did you ultimately obtain your graduate</p> <p>21 degree?</p> <p>22 A Yes.</p> <p>23 Q When did you get the graduate degree?</p> <p>24 A 1968.</p> <p>25 Q When about?</p>	<p>1 Christian Holinka 112</p> <p>2 A No.</p> <p>3 Q Were you a full-time student?</p> <p>4 A Yes.</p> <p>5 Q Do you believe that you were exposed to</p> <p>6 asbestos being a full-time graduate student from 1964</p> <p>7 to 1966?</p> <p>8 A Yes, I was.</p> <p>9 Q And how do you believe you were exposed to</p> <p>10 asbestos during that timed period?</p> <p>11 A Bunsen burner pads and heat insulating</p> <p>12 mittens.</p> <p>13 Q And were these items located within the</p> <p>14 same Life Sciences Building laboratory that we have</p> <p>15 been discussing?</p> <p>16 A Not the same laboratory but the same</p> <p>17 building, the same floor.</p> <p>18 Q Then let's talk about the room that this</p> <p>19 took place. What did this laboratory look like, first</p> <p>20 in terms of the number of rooms?</p> <p>21 A It was one room, a large laboratory.</p> <p>22 Q How many Bunsen burners were in there?</p> <p>23 A An estimated six to eight.</p> <p>24 Q Was there anything different about how</p> <p>25 these Bunsen burners and their pads appeared as</p>
Page 55	Page 57
<p>1 Christian Holinka 111</p> <p>2 A Summer, I think in August 1968.</p> <p>3 Q And what was the nature of the graduate</p> <p>4 degree?</p> <p>5 A Physiology.</p> <p>6 Q Did you go to classes full-time during the</p> <p>7 time period you were a graduate student?</p> <p>8 A I did full-time research and involving some</p> <p>9 courses.</p> <p>10 Q During the time period August 1964 to</p> <p>11 August 1968, did you hold any employment at all?</p> <p>12 A Yes.</p> <p>13 Q Were you working at the lab again?</p> <p>14 A No. Perhaps it -- probably, if I may</p> <p>15 suggest, it would be easier to go chronological.</p> <p>16 Q That would be fine and I would appreciate</p> <p>17 that.</p> <p>18 When you started in August of 1964, were</p> <p>19 you taking courses full-time?</p> <p>20 A Courses and research full-time.</p> <p>21 Q And how long did that remain constant,</p> <p>22 courses and classes full-time?</p> <p>23 A Until 1966.</p> <p>24 Q During the time 1964 to 1966, did you hold</p> <p>25 any employment, did you work at all?</p>	<p>1 Christian Holinka 113</p> <p>2 opposed to those you had encountered in the other lab</p> <p>3 in the building?</p> <p>4 A No, there wasn't.</p> <p>5 Q Was there anything different about the</p> <p>6 appearance of the mittens that you had encountered?</p> <p>7 A No, there wasn't.</p> <p>8 Q As a full-time graduate student you were</p> <p>9 taking courses in the labs; is that right?</p> <p>10 A Courses in the classroom and research, my</p> <p>11 own research project at the laboratory.</p> <p>12 Q Did you have to complete a dissertation of</p> <p>13 some sort to get your degree?</p> <p>14 A Yes, I did.</p> <p>15 Q What was your dissertation?</p> <p>16 A Estrogen receptors in the hypothalamus of</p> <p>17 the brain.</p> <p>18 Q And that required you to do research in the</p> <p>19 lab in order to complete your paper?</p> <p>20 A Yes, I did.</p> <p>21 Q Did you have a faculty advisor that you</p> <p>22 were required to report the status of your project to?</p> <p>23 A Yes, I did.</p> <p>24 Q And did that person work with you --</p> <p>25 MR. SCHAFFER: Withdrawn.</p>

Christian Holinka v. Asbestos - ROUGH DRAFT
February 22, 2007

Christian Holinka
ROUGH DRAFT

Page 58

1 Christian Holinka 114
2 Q Did that person have responsibility to be
3 with you while you were conducting the research side
4 of the paper?
5 A She was the head of the laboratory and
6 supervised my research, the answer is yes.
7 Q Who was that?
8 A Dr. Paola Timiras. Should I spell it?
9 Q Yes, that would be great.
10 A First name P-A-O-L-A, last name
11 T-I-M-I-R-A-S.
12 Q And would you have any information as to
13 whether she is still alive?
14 A No, I don't.
15 Q But the last time you would have spoken
16 with her had been when you were at the university at
17 some point?
18 A No, it wasn't.
19 Q When was it?
20 A It was about six years ago.
21 Q Where was she living at the time?
22 A In Berkeley, California.
23 Q Was she still at the school?
24 A That was the occasion of her retirement but
25 she remained an active emeritus professor.

Page 59

1 Christian Holinka 115
2 Q Do you know specifically the brand, trade
3 or manufacturer's name of any of the Bunsen burner
4 pads that you encountered while a graduate student
5 during this time period 1964 to 1966?
6 A They were ordered from standard suppliers,
7 the names I have mentioned before.
8 Q You were not responsible for doing the
9 ordering during this period?
10 A No, I was not.
11 Q Who was?
12 A A simple supply person:
13 Q I do not understand what that means. Can
14 you give me an idea what you are talking about when
15 you use that term?
16 A Well, typically in the department there was
17 a technician who was responsible for supplies. If you
18 needed specific research supplies for your own
19 research, you looked at the catalog, Fisher
20 Scientific, the main catalogs, Van Waters and Rogers,
21 and picked out the things you needed very specifically
22 for your research. General supplies were ordered
23 centrally periodically because they were standard
24 supplies at each laboratory.
25 Q And when you use the term "standard

Page 60

1 Christian Holinka 116
2 supplies," would it be fair to say that these were
3 items regularly used that would try to be kept in
4 stock for use in the labs?
5 A That is correct to say.
6 Q Was the stockroom that supported this other
7 one room lab you are in the same stockroom that
8 supported the lab we talked about before?
9 A To an extent, yes, the answer is yes.
10 Q Did you while you were a full-time graduate
11 student need to replace any of the pads?
12 A Yes, I did.
13 Q When you needed to replace them, where
14 would you go to get the replacement pads?
15 A From the supply room.
16 Q The same supply room we talked about?
17 A Yes.
18 Q Are there any other specific ways that you
19 believe that you were exposed to asbestos while
20 working at this lab from 1964 to 1966?
21 A I do not know.
22 Q As you sit here today, do you have any
23 reason to believe that you were exposed to asbestos in
24 any other way besides what you have told us with
25 respect to this lab?

Page 61

1 Christian Holinka 117
2 A I do not know.
3 Q You obtained your graduate degree in --
4 MR. SCHAFFER: Withdrawn.
5 Q What happens in 1966?
6 A In 1966 I was admitted to graduate school
7 at Berkeley in comparative literature.
8 Q So, in 1966 did you get your graduate
9 degree in physiology?
10 A Yes.
11 Q And this was the degree that had the paper
12 you told us about associated with that.
13 A Yes.
14 Q And then you went on for another graduate
15 degree there?
16 A Yes, I did.
17 Q And did you get that second degree?
18 A Yes, I did.
19 Q And is that the degree you got in August of
20 1968?
21 A Yes, that's correct.
22 Q During the time that you were going for
23 this additional graduate degree, did you work at all?
24 A As a teaching assistant.
25 Q Did you do any work in the lab at all?

Christian Holinka v. Asbestos - ROUGH DRAFT
February 22, 2007

Christian Holinka
ROUGH DRAFT

Page 64

Page 62

Christian Holinka 118

1 A No.

2 Q Do you believe that you were exposed to

3 asbestos in any way from the time period 1966 to

4 August 1968?

5 A I do not believe so but I don't know.

6 Q We are in August of 1968 now. Did you go

7 on to take any other classes at Berkeley once you had

8 obtained these two graduate degrees on top of your

9 undergraduate degree?

10 A I continued as a graduate student.

11 Q And were you continuing as a full-time

12 graduate student starting in August of 1968?

13 A Yes. Together with teaching as a teaching

14 assistant.

15 Q And what types of course work were you

16 involved in as a teaching assistant?

17 A French language.

18 Q More associated with your literature

19 graduate degree?

20 A Yes.

21 Q And how long did you take additional

22 courses and also work as a teaching assistant?

23 A And do library research until 1971.

24 Q Did you obtain another degree?

25

Page 63

Christian Holinka 119

1 A No, I didn't. However, during that period

2 I had a stipend for a year in Paris and I do have a

3 certificate, a degree from the Sorbonne.

4 Q From the time frame of August of 1968 until

5 1971, do you believe that you were exposed to asbestos

6 in any way?

7 A I do not know but I don't believe so.

8 Q Besides working as a teaching assistant,

9 did you hold any other for-pay employments during this

10 time period?

11 A I taught intermittently language at the

12 Berlitz School and a course in literature in Berkeley

13 above the level of teaching assistant.

14 Q And during that time period do you recall

15 holding any other jobs aside from what you told us?

16 A No.

17 MR. SCHAFFER: Off the record for one

18 second.

19 (Discussion held off the record)

20 Q When did you finish this period of time in

21 your life when you were teaching literature and taking

22 graduate classes, you told us it was in 1971, I am

23 trying to find out when.

24 A Yes. In the spring semester ending in May

25

Christian Holinka 120

1 or June.

2 Q And after that what was the next thing that

3 you did in your life?

4 A I was accepted as a graduate student in

5 biological sciences at the State University of New

6 York at Stony Brook.

7 Q And how long did you attend graduate school

8 at SUNY Stony Brook?

9 A Until 1974.

10 Q What month did you finish there?

11 A In July, end of June or July.

12 Q Did you get a degree from SUNY Stony Brook?

13 A Yes, I did.

14 Q What was that degree?

15 A PhD.

16 Q In what?

17 A Biological sciences.

18 Q Was this full-time academic studies?

19 A It was full-time academic studies but I

20 also worked part-time in addition.

21 Q Where did you work part-time?

22 A Columbia University Presbyterian Medical

23 Center, clinical chemistry.

24 Q When did you start doing the part-time work

25

Page 65

Christian Holinka 121

1 at Columbia?

2 A 1971.

3 Q Would it have been contemporaneous with the

4 course work at SUNY?

5 A Yes, it was.

6 Q Did you get the job through connections at

7 SUNY?

8 A No, I did not.

9 Q How did you come to get that job?

10 A I applied personally through somebody, a

11 professor there who I knew.

12 Q How long did you work in the clinical

13 chemistry department at Columbia University?

14 A Until 1974.

15 Q And was it basically employment there

16 continuous with the time that you were taking the

17 studies at SUNY Stony Brook?

18 A Yes.

19 Q During the time that you were out at Stony

20 Brook, do you believe that you were exposed to

21 asbestos while taking your studies?

22 A Yes, I was.

23 Q During the time that you were working for

24 Columbia, do you believe that you were exposed to

25

17 (Pages 62 to 65)

Christian Holinka v. Asbestos - ROUGH DRAFT
February 22, 2007

Christian Holinka
ROUGH DRAFT

Page 66

1 Christian Holinka 122
2 asbestos?
3 A Yes, I was exposed.
4 Q We are going to break them both down then.
5 When you were taking the courses at SUNY
6 Stony Brook, did you also take course work during the
7 summers?
8 A Yes.
9 Q And how do you believe that you were
10 exposed to asbestos when you were taking the graduate
11 school studies at Stony Brook?
12 A In my research for my degree.
13 Q And how do you believe in conducting this
14 research you were exposed to asbestos?
15 A Through Bunsen burner pads and heat
16 insulating mittens.
17 Q With what frequency would you be --
18 MR. SCHAFFER: Withdrawn.
19 Q Did you handle both of these types of
20 items --
21 A Yes.
22 Q -- while you were at SUNY Stony Brook?
23 A Yes, I did.
24 Q With what frequency would you be handling
25 Bunsen burner pads?

Page 67

1 Christian Holinka 123
2 A Regularly.
3 Q Any way to quantify what "regularly" would
4 be?
5 MR. DARCHE: Don't guess.
6 A Daily, daily. The days I was at the
7 laboratory obviously.
8 Q Where was the laboratory that you used
9 these pads at SUNY Stony Brook?
10 A In the anatomy department.
11 Q Did you work out of one lab in the anatomy
12 department?
13 A Yes.
14 Q Do you know if that lab had any other type
15 of designation by room number or name or something
16 like that?
17 A By room number, I don't recall the name.
18 Q Was it the first floor, second floor or
19 something like that?
20 A First floor.
21 Q Describe for me what that lab looked like
22 first in terms of its dimensions.
23 A Medium size, square feet I cannot estimate.
24 Q Did it have work stations or tables?
25 A About three large benches.

Page 68

1 Christian Holinka 124
2 Q And how many Bunsen burners were in there?
3 A I would estimate three.
4 Q One per bench you think?
5 A Yes, pretty much.
6 Q How do you believe that you were exposed to
7 asbestos from the Bunsen burner pads there?
8 A As the Bunsen burner experienced heat, the
9 material degenerated, cracked and emitted dust.
10 Q Did these pads that we are talking about
11 appear similar in their appearance to those that you
12 had encountered previous to that?
13 A Yes, they did.
14 Q Was there anything different about their
15 size, their shape, their consistency of the material
16 or anything else from those that you had encountered
17 previously?
18 A To my knowledge, no.
19 Q Did the circumference of the material
20 inside the mesh look the same to you?
21 A Yes.
22 Q Did you have to at any time replace those
23 pads that you encountered at the lab in the anatomy
24 department at Stony Brook?
25 A Yes, I did.

Page 69

1 Christian Holinka 125
2 Q And where would you go to get replacement
3 pads on those occasions?
4 A The supply room in biology.
5 Q And where would that be in relation to the
6 anatomy department that you were in?
7 A That was in a different building.
8 Q How often do you recall getting replacement
9 pads over that period of time that you were working
10 out of that lab? I'm sorry, doing research out of
11 that lab.
12 A About no more than once a month.
13 Q Did the pads when you picked them up from
14 the supply area come packaged in any way?
15 A No.
16 Q How were they stored there?
17 A I do not know how the supplier supplied
18 them. I would --
19 Q Let me see if I understand the process.
20 You would walk into the supply room and would there be
21 somebody there supporting the supply room?
22 A Yes.
23 Q And would you ask the person in there I
24 need X-Y-Z and that person would go get it?
25 A Exactly, yes.

Christian Holinka v. Asbestos - ROUGH DRAFT
February 22, 2007

Christian Holinka
ROUGH DRAFT

Page 70	Page 72
<p>Christian Holinka 126</p> <p>1 Q And you would not have an opportunity to</p> <p>2 see how they were stored there, right?</p> <p>3 A No.</p> <p>4 Q Did you have any responsibility for</p> <p>5 ordering any Bunsen burner pads when you were doing</p> <p>6 your research at this lab?</p> <p>7 A No, I did not.</p> <p>8 Q Do you know the brand, trade or</p> <p>9 manufacturer's name specifically of those pads that</p> <p>10 were supplied to you and used there?</p> <p>11 A They were supplied by standard suppliers.</p> <p>12 Q I guess my question, sir, is if you did not</p> <p>13 do the ordering of the supplies, do you know</p> <p>14 specifically who supplied the --</p> <p>15 A Specifically I --</p> <p>16 MR. DARCHE: I am going to object to the</p> <p>17 form as being argumentative.</p> <p>18 Q And I do not mean to be argumentative, sir.</p> <p>19 I am just trying to establish that you did not order</p> <p>20 the pads, right?</p> <p>21 A That is correct.</p> <p>22 Q And was there anything about the pads</p> <p>23 identifying who supplied them on the pad itself?</p> <p>24 A No, there wasn't.</p> <p>25</p>	<p>Christian Holinka 128</p> <p>1 Q Did those mittens appear similar to those</p> <p>2 that you had encountered previously in your career?</p> <p>3 A Yes.</p> <p>4 Q They were one thumb and then one unit</p> <p>5 covering all of the fingers?</p> <p>6 A That's correct.</p> <p>7 Q And did they go approximately the same way</p> <p>8 up your hand?</p> <p>9 A That's correct.</p> <p>10 Q And in terms of their consistency and</p> <p>11 color, everything was similar to that which you had</p> <p>12 seen before?</p> <p>13 A Yes.</p> <p>14 Q Let me ask you with respect to the pads at</p> <p>15 this anatomy department, why do you think that they</p> <p>16 contained asbestos?</p> <p>17 A It was general knowledge that the centers</p> <p>18 contained asbestos.</p> <p>19 Q And how did you first become aware of this</p> <p>20 general knowledge that the center was asbestos?</p> <p>21 A I could not tell you the time.</p> <p>22 Q Can you tell me how you came to this</p> <p>23 general knowledge?</p> <p>24 A Through colleagues, co-workers.</p> <p>25</p>
Page 71	Page 73
<p>Christian Holinka 127</p> <p>1 Q No logos or writing --</p> <p>2 A No.</p> <p>3 Q -- or anything imprinted or embossed on the</p> <p>4 material?</p> <p>5 A No.</p> <p>6 Q How often would you encounter the --</p> <p>7 MR. SCHAFFER: Withdrawn.</p> <p>8 Q How often would you use the mittens when</p> <p>9 you were doing your research at this lab?</p> <p>10 A About once every two days.</p> <p>11 Q Did you ever have to replace the mittens</p> <p>12 that you were using at the lab?</p> <p>13 A Yes.</p> <p>14 Q And would you when you needed to get</p> <p>15 replacement mittens go to the same supply person in</p> <p>16 the supply room?</p> <p>17 A Yes.</p> <p>18 Q Do you know specifically the brand, trade</p> <p>19 or manufacturer's name of the mittens that you used</p> <p>20 there?</p> <p>21 A No.</p> <p>22 Q Do you know who supplied specifically those</p> <p>23 mittens that you used there?</p> <p>24 A No.</p> <p>25</p>	<p>Christian Holinka 129</p> <p>1 Q Did they specifically, whoever it was,</p> <p>2 advise you that the material did contain asbestos?</p> <p>3 A No.</p> <p>4 Q Do you know what, if any, other materials</p> <p>5 might provide the same sort of abilities as asbestos</p> <p>6 that may have been used on these pads?</p> <p>7 MR. DARCHE: Objection.</p> <p>8 Q But did you understand my question, sir?</p> <p>9 A Yes.</p> <p>10 Q You can answer the question then.</p> <p>11 A Can I?</p> <p>12 Q Yes.</p> <p>13 A No, I don't know.</p> <p>14 Q And why do you believe that the mittens</p> <p>15 that you used at the anatomy department contained</p> <p>16 asbestos?</p> <p>17 A I believe it was specified in the catalog,</p> <p>18 "asbestos mittens."</p> <p>19 Q You did not have the responsibility for</p> <p>20 ordering the mittens, right?</p> <p>21 A No, I did not.</p> <p>22 MR. DARCHE: Objection, asked and answered.</p> <p>23 If I object wait for me to object before</p> <p>24 you answer.</p> <p>25</p>

Christian Holinka v. Asbestos - ROUGH DRAFT
February 22, 2007

Christian Holinka
ROUGH DRAFT

Page 74

1 Christian Holinka 130

2 Q When was the first time that you came to

3 believe that the mittens that you were using contained

4 asbestos?

5 A I do not recall the exact time.

6 Q Can you give me, looking back up to where

7 we are right now, whether it was before you were

8 taking your course work at SUNY Stony Brook or after

9 that?

10 MR. DARCHE: I am just going to object.

11 Don't guess.

12 The witness has already testified as to

13 what he recalls.

14 MR. SCHAFFER: Well, I am asking him the

15 basis for his recollection that they actually

16 were asbestos.

17 MR. DARCHE: So ask him that.

18 Q Why do you believe the mittens --

19 MR. DARCHE: You already asked him that.

20 MR. SCHAFFER: Right.

21 Q And my question is when was the first time

22 that you came to the belief that mittens that you used

23 contained asbestos.

24 MR. DARCHE: I am just going to object to

25 the form.

Page 75

1 Christian Holinka 131

2 You can answer, if you can.

3 A I do not recall the exact time.

4 Q And this is one of those times, sir, that I

5 am entitled to probe a little further and try and get

6 a best estimate as to when you came to this knowledge.

7 MR. DARCHE: But don't guess.

8 Q Right, nobody is asking you to guess.

9 A I would have to guess.

10 Q That is fair. Nobody wants you to.

11 When you would receive the mittens from the

12 supply person, did they come packaged in any way?

13 A No, not to my knowledge.

14 Q And would you have any understanding as to

15 how long a pair of mittens would last when you were

16 doing your research at SUNY Stony Brook?

17 A Relatively long because I was the only

18 person at the laboratory, that's the only person using

19 them. Relatively long, I would guess four months.

20 Q And when the mittens got to a point where

21 you felt that they had to be replaced, what would you

22 do with them?

23 A I would dispose of them and get a new one,

24 set from the supply room.

25 Q As you sit here today are there any other

Page 76

1 Christian Holinka 132

2 specific ways that you believe you were exposed to

3 asbestos when you were doing your research work at the

4 SUNY Stony Brook anatomy department lab?

5 A I do not know.

6 Q Was the physical layout of the benches and

7 equipment that may have been in the lab constant from

8 when you first started doing your research there until

9 when you left?

10 A Yes.

11 Q Can you estimate how many hours per week

12 you would put in part-time at the Columbia University

13 clinical chemistry department during the time you were

14 there?

15 A Approximately 12 hours.

16 Q And this was located where on Columbia

17 Presbyterian's grounds?

18 A The main building on 168th Street.

19 Q What floor was the area where you worked?

20 A I don't remember.

21 Q Was it in a laboratory as well?

22 A Yes.

23 Q And did you work in this one laboratory the

24 entire --

25 A Yes.

Page 77

1 Christian Holinka 133

2 -- time that you were working there?

3 A Yes.

4 Q And how do you believe you were exposed to

5 asbestos there?

6 A I used Bunsen burners and heat insulating

7 mittens.

8 Q While you were doing this part-time work at

9 Columbia, did you have responsibility for ordering

10 either of those materials that you used?

11 A No, I did not.

12 Q Did you use any other materials in the

13 course of your part-time work there that you believe

14 caused you to be exposed to asbestos?

15 A I do not know.

16 Q Do you believe that you were exposed to

17 asbestos from the Bunsen burner pads in a fashion

18 similar to that as you told us at the other places you

19 talked about?

20 A That's correct.

21 Q Anything different about the way you think

22 you were exposed?

23 A No.

24 Q Was there anything different physically

25 about how the Bunsen burner pads looked as opposed to

Christian Holinka v. Asbestos - ROUGH DRAFT
February 22, 2007

Christian Holinka
ROUGH DRAFT

Page 80

Christian Holinka 136

1 what you encountered before?

2 A No.

3 Q While you were doing the part-time work at

4 Columbia University, did you have to on occasion

5 replace the pads?

6 A Yes.

7 Q How many times did you do that?

8 A I want to modify this. They were replaced,

9 I did not replace them myself.

10 Q How would the replacement process work

11 there then?

12 A I do not know.

13 Q Would it be a situation where you would

14 show up one day and it would appear to be a new pad

15 present?

16 A Yes.

17 Q Do you know where the new pads would come

18 from?

19 A I don't.

20 Q Did you have to replace any of the heat

21 mittens that was used there at any time?

22 A No.

23 Q The heat mittens that you used there, how

24 often would you use them?

25

1 A I do not.

2 Q Can you tell me any other specific ways

3 that you believe you may have been exposed to asbestos

4 while working part-time at Columbia University?

5 A No, I cannot tell you.

6 Q In 1974 you got your PhD; is that right?

7 A Yes.

8 MR. SCHAFFER: Off the record for a second.

9 (Discussion held off the record)

10 Q In July of 1974 you get your degree from

11 SUNY Stony Brook, your PhD and what happens next in

12 the course of your professional career?

13 A I became a post-doctoral fellow at the

14 University of Southern California.

15 Q And was this at Berkeley again or --

16 A Los Angeles.

17 Q And how long were you a post-doctoral

18 fellow?

19 A Until 1977.

20 Q And what types of things did you do as a

21 post-doctoral fellow there?

22 A Biological research and teaching.

23 Q What portion or percentage of your time was

24 dedicated to research as opposed to teaching?

25

Page 81

Christian Holinka 137

1 A About 90 percent research, 90 to 95

2 percent.

3 Q When you were doing your research, did you

4 conduct it in one particular area of USC Los Angeles?

5 A Yes. At the Gerontology Building.

6 Q And where within the Gerontology Building

7 did you do this research?

8 A Second floor.

9 Q What were the dimensions or the layout of

10 the space you worked out of?

11 A Four rooms, variable size ranging from an

12 estimated 400 square feet to 800 square feet,

13 estimated.

14 Q And were these rooms comprised of both

15 offices and laboratories?

16 A Offices were separate.

17 Q So, the four rooms, were they all labs?

18 A Yes.

19 Q Did you work in all of those rooms?

20 A Yes.

21 Q Did you have graduate assistants working

22 with you during this time period?

23 A Yes, I did.

24 Q What were their names of some of these

25

21 (Pages 78 to 81)

Christian Holinka v. Asbestos - ROUGH DRAFT
February 22, 2007

Christian Holinka
ROUGH DRAFT

Page 82	Page 84
<p>1 Christian Holinka 138</p> <p>2 people?</p> <p>3 A Monty Heckland (phonetic), undergraduate</p> <p>4 assistant.</p> <p>5 Q Anybody else?</p> <p>6 A Not as undergraduate or graduate assistant.</p> <p>7 Q How about any other people who assisted you</p> <p>8 in any way?</p> <p>9 A You usually had to do the research</p> <p>10 yourself. James Nelson.</p> <p>11 Q And what was his position or how did he</p> <p>12 help you?</p> <p>13 A Graduate student.</p> <p>14 Q Anybody else?</p> <p>15 A No.</p> <p>16 Q During the time that you were working at</p> <p>17 USC Los Angeles in the Gerontology Building, do you</p> <p>18 believe you were exposed to asbestos?</p> <p>19 A Yes.</p> <p>20 Q In what ways do you believe you were</p> <p>21 exposed to asbestos there?</p> <p>22 A Through Bunsen burner pads and heat</p> <p>23 insulating mittens.</p> <p>24 Q Were there Bunsen burners present in each</p> <p>25 of the four rooms that you were conducting your</p>	<p>1 Christian Holinka 140</p> <p>2 Q Did the Bunsen burner pads that you used</p> <p>3 there appear similar in their shape and color when</p> <p>4 compared to the ones you had encountered earlier in</p> <p>5 your career?</p> <p>6 A Yes.</p> <p>7 Q Was there anything physically different</p> <p>8 about them that you can recall at this time as opposed</p> <p>9 to the others?</p> <p>10 A No.</p> <p>11 Q Do you know the brand, trade or</p> <p>12 manufacturer's name of those Bunsen burner pads?</p> <p>13 A No.</p> <p>14 Q Do you know who specifically supplied those</p> <p>15 pads that you used as a post-doctoral fellow at the</p> <p>16 Gerontology Building?</p> <p>17 A We had standard suppliers, I do not know</p> <p>18 which individual standard supplier supplied them.</p> <p>19 Q Did you need to get replacement pads on</p> <p>20 occasion during those three years you were doing</p> <p>21 research?</p> <p>22 A Yes.</p> <p>23 Q Where would you get them from?</p> <p>24 A From the laboratory supply cabinet.</p> <p>25 Q Which would have been located where?</p>
Page 83	Page 85
<p>1 Christian Holinka 139</p> <p>2 research in?</p> <p>3 A Yes.</p> <p>4 Q How many were in each room?</p> <p>5 A An estimated two to five.</p> <p>6 Q Did the room that you worked out of have</p> <p>7 any other numerical designation or name that you can</p> <p>8 recall?</p> <p>9 A Room numbers I do not recall.</p> <p>10 Q Not named in honor of somebody or</p> <p>11 so-and-so's lab or anything like that?</p> <p>12 A I believe one or two were.</p> <p>13 Q As you sit here today, do you know who they</p> <p>14 may have been referring to?</p> <p>15 A No.</p> <p>16 Q Were there similar labs on the same floor</p> <p>17 of that building?</p> <p>18 A Yes.</p> <p>19 Q Did you have a responsibility as a</p> <p>20 post-doctoral fellow for ordering any of the Bunsen</p> <p>21 burner pads that you used there?</p> <p>22 A No, I did not.</p> <p>23 Q Did you have a responsibility for ordering</p> <p>24 any of the heat mittens that you used there?</p> <p>25 A No.</p>	<p>1 Christian Holinka 141</p> <p>2 A At the laboratory in one of the four rooms.</p> <p>3 Q Did you personally obtain new pads on</p> <p>4 occasion during the three years that you were doing</p> <p>5 research?</p> <p>6 A Yes, I did.</p> <p>7 Q And you would go to the storage area and</p> <p>8 take them yourself?</p> <p>9 A Yes.</p> <p>10 Q When you would take them out, did they come</p> <p>11 in any sort of packaging?</p> <p>12 A No.</p> <p>13 Q They were loose?</p> <p>14 A Not to my recollection, no.</p> <p>15 Q Your recollection is they were loose?</p> <p>16 A Yes.</p> <p>17 Q Stacked on top of each other or lined up</p> <p>18 side by side?</p> <p>19 A I believe stacked on top of each other.</p> <p>20 Q Did you ever see any paperwork indicating</p> <p>21 who specifically supplied those pads that you used</p> <p>22 there?</p> <p>23 A I did not.</p> <p>24 Q Do you recall a replacement stock of these</p> <p>25 pads coming in and being placed in that storage area?</p>

Christian Holinka v. Asbestos - ROUGH DRAFT
February 22, 2007

Christian Holinka
ROUGH DRAFT

Page 88

Page 86

1 Christian Holinka 142
2 A Not specifically, no.
3 Q Did you ever encounter a situation there
4 where you had run out of pads and had to arrange to
5 have more pads brought over?
6 A No.
7 Q Did you use one set of mittens during the
8 three years there or more than one set?
9 A Set, you mean --
10 Q Pair.
11 A -- individual --
12 Q Pair I guess is the best way to put it.
13 A Many more than one. May I add something?
14 Q Yes, absolutely.
15 A To an extended response to your question
16 about collaborators.
17 Q Yes.
18 A The chief technician helped the laboratory.
19 Q Who was that?
20 A Heinz; H-E-I-N-Z, Osterburg;
21 O-S-T-E-R-B-U-R-G.
22 Q Did Mr. Osterburg have the responsibility
23 for ordering any replacement supplies?
24 A Yes.
25 Q Did you ever have a conversation with

1 Christian Holinka 144
2 A Yes.
3 Q When was the last time you were in touch
4 with Mr. Heckland?
5 A About three months ago, four months ago.
6 Q Is Mr. Heckland aware of your current
7 physical situation?
8 A Yes.
9 Q Did you have any discussions with
10 Mr. Heckland about the types of products that you used
11 together while you were at USC Los Angeles?
12 A No.
13 Q Did you have any discussion with respect to
14 any products that may have contained asbestos?
15 A No.
16 Q Where does he currently live?
17 A In Baltimore.
18 Q When was the last time you spoke to
19 Mr. Nelson?
20 A An estimated three years ago.
21 Q Did you ever have any discussions with
22 Mr. Nelson about any asbestos-containing components
23 that were in any of the labs where you were?
24 A No.
25 Q And Mr. Osterburg, is he still alive?

Page 89

Page 87

1 Christian Holinka 143
2 Mr. Osterburg advising that the lab or labs needed
3 more pads or mittens?
4 A No.
5 Q If you needed a replacement pair of
6 mittens, would you get them from the same supply area
7 located in one of those labs?
8 A Yes.
9 Q Do you recall how the replacement mittens
10 were stored in this area?
11 A No.
12 Q Was there anything different about the
13 physical appearance of these mittens as opposed to
14 mittens that you had encountered earlier in your
15 career?
16 A No.
17 Q Can you tell me any other specific type of
18 materials that you believe contained asbestos that you
19 handled there?
20 A No, I cannot tell you.
21 MR. DARCHE: Just one second.
22 (Discussion held off the record)
23 Q Did Mr. Heckland and Mr. Nelson and
24 Mr. Osterburg also use these types of materials in the
25 course of supporting you in your research?

1 Christian Holinka 145
2 A Yes.
3 Q Where is he currently?
4 A In Los Angeles.
5 Q When was the last time you spoke with him?
6 MR. DARCHE: Three years ago.
7 A About half a year ago.
8 MR. SCHAFFER: We talked about Mr. Nelson
9 before.
10 MR. DARCHE: Sorry about that.
11 MR. SCHAFFER: We are talking about
12 Osterburg.
13 MR. DARCHE: Sorry about that.
14 Q Is Mr. Osterburg aware of your physical
15 condition?
16 A Yes, I told him.
17 Q Did you and he have any discussions whether
18 there were any materials or products in the labs that
19 may have exposed you to asbestos?
20 A We did not talk about it.
21 Q Is there anyone that you have talked about
22 with respect to your time at USC LA?
23 A USC, please.
24 Q I'm sorry, forgive me.
25 A Two different universities.

77 (Pages 85 to 89)

Christian Holinka v. Asbestos - ROUGH DRAFT
February 22, 2007

Christian Holinka
ROUGH DRAFT

Page 90

1 Christian Holinka 146
2 Q My apologies.
3 Have you ever discussed the brand, trade or
4 manufacturer's names of any of the materials that you
5 believe contained asbestos that you encountered at USC
6 besides with representatives from your law firm?
7 A No.
8 MR. DARCHE: Off the record.
9 (Discussion held off the record)
10 Q Sir, I forgot to ask you, where does
11 Mr. Nelson currently live?
12 A San Antonio, Texas.
13 Q Separate and apart from your research that
14 you did at USC, do you believe that you were exposed
15 to asbestos when you were doing the teaching aspect of
16 your post-doctoral fellow work out there?
17 A I do not know but I do not think so.
18 Q And did that work result in any additional
19 degrees of any type as a post-doctoral fellow?
20 A No.
21 Q When in 1977 did you leave USC LA?
22 A In July.
23 MR. DARCHE: How are you feeling?
24 THE WITNESS: Okay.
25 MR. SCHAFFER: Let's go off the record a

Page 91

1 Christian Holinka 147
2 second.
3 (Discussion held off the record)
4 (Whereupon, at 12:20 P.M., a lunch recess
5 was taken)
6 (Back on the record at 1:25 P.M.)
7 Q Sir, we are back on the record and I just
8 want to go back over one or two things before we move
9 forward to your time at Mount Sinai if I may.
10 A Yes.
11 Q And I am not sure if I have asked you this
12 question before or if my colleague did or did not, so
13 if I did I apologize.
14 With respect to the mittens that you used
15 when you were at the lab at USC Los Angeles, do you
16 know who specifically manufactured them?
17 A No, I do not.
18 Q Do you know who specifically supplied those
19 mittens that you used at that location?
20 A No, I do not.
21 Q Let's move forward, your next job was
22 where?
23 A May I make a small addition to a previous
24 statement?
25 Q Yes.

Page 92

1 Christian Holinka 148
2 A Regarding the diameter of the asbestos
3 inset to the Bunsen burner covers, the diameter
4 probably was closer to 8 inches. I said 3 or 4, I
5 believe, I thought in the metric system and it was
6 closer to 8 inches.
7 Q And let me then ask you this: If the
8 diameter of the pad was 8 inches, what was the length
9 across of the meshing itself when you counted all the
10 meshing?
11 A An estimated 1 more inch on each side, so
12 it would be about 10 inches.
13 Q And were those mesh pieces typically square
14 or rectangular?
15 A Typically square.
16 Q After the lunch break looking back, is
17 there anything else that you need to amplify or
18 correct from this morning's testimony?
19 A No, there isn't.
20 Q Why did you leave the fellow position at
21 USC?
22 A I had a job offer at Mount Sinai School of
23 Medicine in New York City.
24 Q How did you come to get that offer?
25 A At a scientific meeting.

Page 93

1 Christian Holinka 149
2 Q And when did you start at Mount Sinai?
3 A August 1977.
4 Q And how long did you work there?
5 A Until July 1989.
6 Q And what was your position there?
7 A Initially an instructor and then assistant
8 professor in obstetrics, gynecology and reproductive
9 science.
10 Q How long would you have been an instructor
11 first there at Mount Sinai approximately?
12 A Approximately two to three years.
13 Q And the balance of the time that you were
14 there approximately nine or ten years was as an
15 assistant professor?
16 A Yes.
17 Q As an instructor there what were your hours
18 typically, if there was such a thing?
19 A Forty to sixty hours.
20 Q And would you teach classes both day and
21 night as needed?
22 A I did not regularly teach classes at Sinai
23 except one or two years a part of a course in
24 reproductive biology to medical students.
25 Q I'm sorry, I misinterpreted what you meant

Christian Holinka v. Asbestos - ROUGH DRAFT
February 22, 2007

Christian Holinka
ROUGH DRAFT

Page 94	Page 95
<p>1 Christian Holinka 150</p> <p>2 by instructor then. Can you tell me what your duties</p> <p>3 were as an instructor?</p> <p>4 A Research, the principle duties were</p> <p>5 research.</p> <p>6 Q When did you conduct the research as an</p> <p>7 instructor there?</p> <p>8 A During the period 1977 to '89.</p> <p>9 Q When you were an instructor, yes.</p> <p>10 A When I was an instructor and thereafter</p> <p>11 when I was an assistant professor.</p> <p>12 Q Where physically within the premises of</p> <p>13 Mount Sinai did you do the research work as an</p> <p>14 instructor?</p> <p>15 A The Annenberg Building, 20th floor.</p> <p>16 Q And was there a separate portion of the</p> <p>17 floor such as a lab or other area within the 20th</p> <p>18 floor that you worked at?</p> <p>19 A Yes. There were several laboratories on</p> <p>20 the floor.</p> <p>21 Q Did you work in one of them or all of them?</p> <p>22 A Principally in two different rooms.</p> <p>23 Q And did these rooms have any numerical or</p> <p>24 other designation?</p> <p>25 A Yes.</p>	<p>1 Christian Holinka 152</p> <p>2 A Yes.</p> <p>3 Q Over the two or three years, can you</p> <p>4 estimate how many times you would have replaced the</p> <p>5 pads?</p> <p>6 A About once every two months.</p> <p>7 Q You said that there were two rooms, did</p> <p>8 both of these rooms have Bunsen burners?</p> <p>9 A Yes.</p> <p>10 Q Can you tell me how many were in each room?</p> <p>11 A Correction, three rooms.</p> <p>12 Q Fair enough.</p> <p>13 A When we did histology work I used a</p> <p>14 different room.</p> <p>15 The answer to your question, between two</p> <p>16 and five.</p> <p>17 Q Were there more Bunsen burners in the</p> <p>18 histology room or not, if you know?</p> <p>19 A About the same.</p> <p>20 Q Now, was there anything different about the</p> <p>21 physical appearance of these Bunsen burner pads that</p> <p>22 you used there as opposed to those that you had</p> <p>23 encountered prior in your career?</p> <p>24 A No.</p> <p>25 Q Did these pads have any words or logos or</p>
Page 95	Page 97
<p>1 Christian Holinka 151</p> <p>2 Q What were they called, if you remember?</p> <p>3 A I don't remember.</p> <p>4 Q And did you work in both of these rooms</p> <p>5 during the time that you held the position of</p> <p>6 instructor?</p> <p>7 A Yes.</p> <p>8 Q Do you believe that you were exposed to</p> <p>9 asbestos at Mount Sinai in the course of your work as</p> <p>10 an instructor those first two or three years?</p> <p>11 A Yes.</p> <p>12 Q And how during that time period do you</p> <p>13 believe you were exposed to asbestos?</p> <p>14 A By asbestos pads, Bunsen burner pads and</p> <p>15 mittens.</p> <p>16 Q Did you work yourself with the pads as an</p> <p>17 instructor?</p> <p>18 A Yes.</p> <p>19 Q And what would you do with them?</p> <p>20 A Well, you use them all the time for heating</p> <p>21 the agents, heating water, heating media. It was the</p> <p>22 only heat source at the laboratory.</p> <p>23 Q Did you have on occasion the need to</p> <p>24 replace the pads that you were using when you were an</p> <p>25 instructor?</p>	<p>1 Christian Holinka 153</p> <p>2 printing or anything on them that would identify their</p> <p>3 manufacturer?</p> <p>4 A They did not.</p> <p>5 Q Or their supplier.</p> <p>6 A They did not.</p> <p>7 Q As an instructor did you have the</p> <p>8 responsibility for ordering any pads that were used at</p> <p>9 Mount Sinai?</p> <p>10 A No.</p> <p>11 Q If you needed to pick up a replacement pad</p> <p>12 at Mount Sinai, where would you go?</p> <p>13 A There was a central room for supplies for</p> <p>14 the laboratory.</p> <p>15 Q Was that also located on the 20th floor?</p> <p>16 A Yes. It was really a large set of cabinets</p> <p>17 in one of the laboratories.</p> <p>18 Q Was it located in one of the three rooms</p> <p>19 that you were in as an instructor?</p> <p>20 A In one, yes.</p> <p>21 Q If I asked you which one could you tell me?</p> <p>22 A I believe a storage unit.</p> <p>23 Q Do you know which particular room it was in</p> <p>24 or you believe it was in one of them?</p> <p>25 A. I think it was in one.</p>

Christian Holinka v. Asbestos - ROUGH DRAFT
February 22, 2007

Christian Holinka
ROUGH DRAFT

Page 98

1 Christian Holinka 154
2 Q When you would go to this storage area, did
3 you see how the pads were kept in it?
4 A I saw it but I don't remember whether they
5 were stacked or next to each other.
6 Q And do you recall if there was any
7 packaging associated with any of these new pads that
8 you would take?
9 A I don't remember.
10 Q Do you know the brand, trade or
11 manufacturer's name of any of those pads?
12 A I do not know a specific brand.
13 Q Do you know who supplied those pads to
14 Mount Sinai during those years that you were an
15 instructor?
16 A Well, we had basically four suppliers,
17 Fisher Scientific, Van Waters and Rogers, American
18 Scientific, Senco. They were big catalogs, they
19 looked like a book with in the back their names. And
20 there were other companies also that I don't recall
21 who supplied highly specific parts, supplies but those
22 were the main companies and we may even have had a
23 standing account with one, two or three of them.
24 Q When you say "we," are you talking about
25 Mount Sinai itself or your particular department where

Page 99

1 Christian Holinka 155
2 you worked?
3 A In my department, my laboratory.
4 Q If there was such a standing type of
5 relationship within your department, who within your
6 department would have been the contact to deal with
7 with respect to that?
8 A The main person, Dr. Gurpide.
9 Q Doctor who?
10 A Erlio; E-R-L-I-O, G-U-R-P-I-D-E.
11 Q And is Dr. Gurpide still alive?
12 A Yes.
13 Q Is he still at Mount Sinai?
14 A No.
15 Q Do you know where he lives?
16 A I don't. He's in a retirement home
17 somewhere in the midwest.
18 Q When would have been the last time you had
19 occasion to have any contact with him?
20 A About ten years ago, eight years ago
21 probably.
22 Q How often would you use the mittens as an
23 instructor at Mount Sinai?
24 A Regularly.
25 Q Can you define that?

Page 100

1 Christian Holinka 156
2 A Once a day, whenever there was something
3 hot to touch, once a day, once every two days, twice a
4 day.
5 Q Did the physical appearance of these
6 mittens to you seem the same as those as you had
7 encountered earlier in your career?
8 A Yes.
9 Q Was there anything different about what
10 those mittens looked like as compared to the earlier
11 ones?
12 A Not to my recollection, no.
13 Q Besides those mittens did you use any other
14 types of gloves or mittens during your time as an
15 instructor?
16 A No.
17 Q Do you know the brand, trade or
18 manufacturer's name of any of those mittens that you
19 used while you were an instructor?
20 A No.
21 Q Do you know specifically who supplied any
22 of those mittens that you used as an instructor?
23 A Specific suppliers I don't know.
24 Q And you have mentioned four companies that
25 you believe generally provided supplies --

Page 101

1 Christian Holinka 157
2 A Yes.
3 Q -- when you were in that position.
4 A Yes.
5 Q Can you tell me any other ways that you
6 specifically believe that you were exposed to asbestos
7 while you were working as an instructor in these three
8 rooms in the Annenberg Building?
9 A No, I cannot.
10 Q Did you have a supervisor or some sort of a
11 boss that you had to report to for those two or three
12 years?
13 A Dr. Gurpide.
14 Q Did you typically work alone or with other
15 people?
16 A I had a technician for most of the period.
17 Q And what was the technician's name?
18 A Mila de la Pena; MILA, D-E, L-A, and
19 capital P-E-N-A.
20 Q And is that assistant still alive?
21 A Yes.
22 Q And do you know -- is it he or she?
23 A She.
24 Q Do you know where she currently lives?
25 A Somewhere on Long Island, I don't know the

Christian Holinka v. Asbestos - ROUGH DRAFT
February 22, 2007

Christian Holinka
ROUGH DRAFT

Page 102

Christian Holinka 158

1 town.

2 Q Do you know if she is still affiliated with

3 Sinai?

4 A No, she's not.

5 Q Do you know who she works for?

6 A She works for their own company not related

7 to clinical research or not related to laboratories.

8 Q She has her own business?

9 A Yes.

10 Q You told us that after two or three years

11 your position changed and you became an assistant

12 professor; is that right?

13 A Yes.

14 Q And that was the position you held the

15 balance of your time at Mount Sinai?

16 A Yes.

17 Q During your career there as an assistant

18 professor; do you believe that you were exposed to

19 asbestos?

20 A Yes.

21 Q And in what ways do you believe you were

22 exposed to asbestos during that nine to ten year

23 period?

24 A Via pads, Bunsen burner pads and heat

25

Page 104

Christian Holinka 160

1 Q She stayed with you the entire time?

2 A Almost the entire time for about nine

3 years, something like that.

4 Q And did Dr. Gurpide maintain the position

5 of your supervisor the entire time you were there?

6 A Yes, he did.

7 Q And just so the record is clear, do you

8 know the brand, trade or manufacturer's name of any of

9 the pads that you would have used during this time

10 period?

11 A No, I do not.

12 Q Do you know the brand, trade or

13 manufacturer's name of any of the gloves that you used

14 during this time period?

15 A No, I don't.

16 Q Do you specifically know which of the

17 companies supplied either of those products to your

18 lab when you were working there in that position?

19 A Specifically I don't but we had standard

20 suppliers.

21 Q And you mentioned when you were --

22 MR. SCHAFFER: Withdrawn.

23 Q When you were doing the assistant professor

24 position, was that located within the same premises on

25

Page 103

Christian Holinka 159

1 insulating mittens.

2 Q As an assistant professor did you typically

3 hold classes in one location or in a variety of

4 locations on the campus?

5 A I gave guest lectures on the campus but not

6 full classes, not full courses.

7 Q As an assistant professor were your duties

8 different than those of an instructor that you had

9 told us about?

10 A No, they were not.

11 Q Basically a change in pay or a change in

12 grade; is that right?

13 A Yes, that's correct.

14 Q Did your use of the pads increase, decrease

15 or stay approximately the same during the time period

16 that you were an assistant professor?

17 A Stayed approximately the same.

18 Q Did your use of the mittens decrease,

19 increase or stay about the same?

20 A Stayed about the same.

21 Q Did you have any additional technicians

22 that assisted you over these nine years besides the

23 woman you mentioned before?

24 A No.

25

Page 105

Christian Holinka 161

1 the 20th floor of the Annenberg Building?

2 A It was.

3 Q Did you ever work anywhere else at Mount

4 Sinai during the entire time that you were there

5 outside of teaching courses in the halls?

6 A No, I did not.

7 Q And when you were teaching the courses in

8 the halls, do you have any reason to believe you were

9 exposed to asbestos during that --

10 A No, I do not have any reason.

11 Q So, it was physically in Mount Sinai where

12 you are alleging asbestos exposure on the 20th floor

13 of the Annenberg Building.

14 A Yes.

15 Q When was the last time you were up there?

16 A About two years ago.

17 Q Did you have an opportunity to view a

18 portion of the floor where you used to work?

19 A Yes, I did.

20 Q And in terms of its physical layout

21 currently, is it the same, different or something

22 else?

23 A It has slightly changed.

24 Q Did you get a chance to see the layout of

25